DEBATES

OF

THE SENATE

OF THE

DOMINION OF CANADA

1911-12

REPORTED AND EDITED BY

HOLLAND BROS.

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FIRST SESSION—TWELFTH PARLIAMENT



OTTAWA
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1912

SENATORS OF CANADA

ALPHABETICAL LIST

FIRST SESSION, TWELFTH PARLIAMENT, 2 GEORGE V

1911-12

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
BAIRD, G. T	Victoria	Perth, N.B.
BÉIQUE, F. L	De Salaberry	Montréal, Que.
BEITH, R	Bowmanville	Bowmanville, Ont.
BELCOURT, N. A	Ottawa	Ottawa, Ont.
BELL, A. C	Pictou	New Glasgow, N. S.
BOLDUC, J	Lauzon	St. Victor de Tring, Que.
BOSTOCK, H	Kamloops	Monte Creek, B. C.
BOUCHERVILLE, DE, C.E., C.M.G	Montarville	Boucherville, Que.
BOWELL, (Sir Mackenzie), K.C.M.G	Hastings	Belleville, Ont.
BOYER, A	Rigaud	Montreal, Que.
CAMPBELL, A	York, Ont	West Toronto, Ont.
CARTWRIGHT, (Sir Richard), G.C.M.G	Oxford	Ottawa, Ont.
CASGRAIN, J. P. B	De Lanaudière	Montreal, Que.
CHOQUETTE, P. A	Grandville	Quebec, Que.
CLORAN, H. J	Victoria	Montreal. Que.
COFFEY, T	London	London, Ont.
COSTIGAN, J	Victoria, N. B	Edmundston, N. B.
COX, G. A	Toronto	Toronto, Ont.
DANDURAND, R	De Lorimier	Montreal, Que.
DANIEL, J. W	Westmorland	St. John, N. B.
DAVID, L. O	Mille Iles	Montreal, Que.
DAVIS, T. O	Prince Albert	Prince Albert, Sask.
DERBYSHIRE, D	Brockville	Brockville, Ont.
DESSAULLES, G. C	Rougemont	Saint Hyacinthe, Que.
DE VEBER, L. G	Lethbridge	Lethbridge, Alberta.
DOMVILLE, J	Rothesay	Rothesay, N. B.
DOUGLAS, J. M	Tantallon	Tantallon, Sask.
EDWARDS, W. C	Rideau	Rockland, Ont.
ELLIS, J. V	St. John	St. John, N. B.
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.
GIBSON, W	Lincoln	Beamsville, Ont.
GILLMOR, D	St. George	St. George, N.B.
GODBOUT, J	La Salle	Beauceville Ouest, Que.
JAFFRAY, R	Toronto	Toronto, Ont.
JONES, Kt, SIR LYMAN MELVIN	Toronto	Toronto, Ont.
KERR, J. K	Toronto	Toronto, Ont.
KING, G. G	Queens	Chipman, N. B.
KIRCHHOFFER, J. N	Selkirk	Brandon, Man.
LANDRY, P. (Speaker)	Stadacona	Candiac, Que.
LAVERGNE, L	Kennebec	Arthabaska, Que.
LEGRIS, J. H	Repentigny	Louiseville, Que.
LARIVIÈRE, A. A. C	Provencher	St. Boniface, Man.

SENATORS.	DESIGNATIONS.	POST OFFICE ADDRESS.
The Honourable		
LOUGHEED, J. A.	Calgary	Calgary, Alberta.
MACDONALD, A. A.	Charlottetown	Charlottetown, P.E.I.
MACDONALD, W. J.	Victoria	Victoria, B. C.
MACKAY, R.	Alma	Montreal, Que.
MACKEEN, D.	Cape Breton	Halifax, N.S.
MCDONALD, W	Cape Breton	Glace Bay, N.S.
MCHUGH, G.	Victoria, O.	Lindsay, Ont.
MCKAY, T.	Truro	Truro, N.S.
MCLAREN, P.	Perth	Perth, Ont.
MCMILLAN, D	Alexandria	Alexandria, Ont.
MCMULLEN, J.	North Wellington	Mount Forest, Ont.
MCSWEENEY, P.	Northumberland	Moncton, N. B.
MILLER, W.	Richmond	Arichat, N. S.
MITCHELL, W.	Wellington	Drummondville, Que.
MONTPLAISIR, H.	Shawinegan	Three Rivers, Que.
OWENS, W.	Inkerman	Montreal, Que.
POIRIER, P.	Acadie	Shediac, N. B.
POPE, R. H	Bedford	Cookshire, Que.
POWER, L. G.	Halifax	Halifax, N. S.
PRINCE, B.	Saskatchewan	Battleford, Sask.
PROWSE, B. C	Charlottetown	Charlottetown, P.E.I.
RATZ, V.	North Middlesex	New Hamburg, Ont.
RILEY, G.	Victoria, B.C.	Victoria, B. C.
ROBERTSON, J. E	P. E. Island	Montague, P.E.I.
ROCHE, W.	Halifax	Halifax, N.S.
ROSS, J. H.	Regina	Moosejaw, Sask.
ROSS, W.	Victoria, N.S.	Halifax, N.S.
ROSS, Sir George W., Kt.	Middlesex	Toronto, Ont.
SCOTT, Sir Richard, Kt.	Ottawa	Ottawa; Ont.
SHEHYN, J.	Laurentides	Quebec, Que.
SULLIVAN, M.	Kingston	Kingston, Ont.
TALBOT, P.	Lacombe	Lacombe, Alberta.
TAYLOR, G.	Leeds	Gananoque.
TESSIER, JULES.	De la Durantaye	Québec, Que.
THIBAUDEAU, A. A	De la Vallière	Montreal, Que.
THOMPSON, F. P.	Fredericton	Fredericton, N.B.
WATSON, R.	Portage la Prairie	Portage la Prairie, Man.
WILSON, J. H.	Elgin	St. Thomas, Ont.
WILSON, J. M.	Sorel	Montreal, Que.
YEO, J	East Prince	Port Hill, P.E.I.
YOUNG, F. M.	Killarney	Killarney, Man.

(APRIL 1ST)

SENATORS OF CANADA

ACCORDING TO SENIORITY

1st SESSION, 12th PARLIAMENT, 2 GEORGE V.,

1911-12

SENATORS.	DESIGNATION.	POST OFFICE ADDRE
The Honourable		
WILLIAM JOHN MACDONALD	Victoria, B.C	Victoria, B. C.
SIR RICHARD WILLIAM SCOTT, KT	Ottawa	Ottawa, Ont.
LAWRENCE GEOFFRY POWER	Sr. M. Halifax	Halifax, N. S.
C. E. BOUCHER DE BOUCHERVILLE, C.M.G.	Montarville	Montreal, P.Q.
THOMAS MCKAY	Truro	Truro, N.S.
DONALD MCMILLAN	Alexandria	Alexandria, Ont.
WILLIAM MCDONALD	Cape Breton	Glace Bay, N. S.
JOSEPH BOLDUC	Lauzon	St. Victor de Tring. P.Q.
MICHAEL SULLIVAN	Kingston	Kingston, Ont.
PASCAL POIRIER	Acadie	Shédiac, N.B.
JAMES ALEXANDER LOUGHEED	Calgary	Calgary, Alberta.
PETER MCLAREN	Perth	Perth, Ont.
HYPPOLYTE MONTPLAISIR	Shawinegan	Three Rivers, P.Q.
P. LANDRY	Stadacona	Candiac, Que.
SIR MACKENZIE BOWELL, K.C.M.G	Hastings	Belleville, Ont.
JOHN NÉSBITT KIRCHOFFER	Selkirk	Brandon, Manitoba.
GEORGE T. BAIRD	Victoria	Perth, N.B.
WILLIAM OWENS	Inkerman	Montreal, Que.
DAVID MACKEEN	Cape Breton	Halifax, N.S.
ALFRED A. THIBAUDEAU	De la Vallière	Montreal, Que.
GEORGE A. COX	Toronto	Toronto, Ont.
GEORGE GERALD KING	Queens	Chipman, N.B.
JEAN BAPTISTE ROMUALD FISET	Gulf	Rimouski, Que.
RAOUL DANDURAND	De Lorimier	Montreal, Que.
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.
FINLAY M. YOUNG	Killarney	Killarney, Man.
JOSEPH SHEHYN	Laurentides	Quebec, Que.
SIR LYMAN MELVIN JONES, Kt	Toronto	Toronto, Ont.
GEORGE MCHUGH	Victoria O.	Lindsay, Ont.
ROBERT MCKAY	Alma	Montreal, Que.
JOHN V. ELLIS	SaintJean	St. John, N.-B.
JOSEPH GODBOUT	La Salle	Beauceville, Ouest, Que.
JAMES E. ROBERTSON	P. E. Island	Montague, P.E.I.
FREDERICK P. THOMPSON	Fredericton	Fredericton, N.B.
FREDERICK L. BÉIQUE	De Salaberry	Montreal, Que.
WILLIAM GIBSON	Lincoln	Beamsville, Ont.
JAMES MCMULLEN	North Wellington	Mount Forest, Ont.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
JOSEPH H. LEGRIS	Repentigny	Louiseville, Que.
FRANCIS T. FROST	Leeds and Grenville	Smith's-Falls, Ont.
JAMES K. KERR	Toronto	Toronto, Ont.
THOMAS COFFEY	London	London, Ont.
JULES TESSIER	De la Durantaye	Quebec, Que.
WILLIAM C. EDWARDS	Rideau	Rockland, Ont.
JAMES DOMVILLE	Rothesay	Rothesay, N.B.
L. O. DAVID	Mille Iles	Montreal, Que.
HENRY J. CLORAN	Victoria	Montreal, Que.
WILLIAM MITCHELL	Wellington	Drummondville, Que.
JOHN H. WILSON	Elgin	St. Thomas, Ont.
HEWITT BOSTOCK	Kamloops	Monte Creek, B.C.
SIR RICHARD J. CARTRIGHT, G.C.M.G.	Oxford	Ottawa, Ont.
PHILIPPE A. CHOQUETTE	Grandville	Quebec, Que.
JAMES H. ROSS	Regina	Moosejaw, Saskatchewan.
THOMAS O. DAVIS	Prince Albert	Prince Albert, Saskatchewan.
ROBERT JAFFRAY	Toronto	Toronto, Ont.
L. GEORGE DE VEBER	Lethbridge	Lethbridge, Alberta.
JAMES M. DOUGLAS	Tantallon	Tantallon, Saskatchewan.
PETER TALBOT	Lacombe	Lacombe, Alberta.
GEORGE RILEY	Victoria	Victoria, B.C.
JOHN COSTIGAN	Victoria, N.B.	Edmundston, N. B.
SIR GEORGE W. ROSS, Kt	Middlesex	Toronto, Ont.
ROBERT BEITH	Bowmanville	Bowmanville, Ont.
DANIEL GILLMOR	St. George	St. George, N.B.
GEORGE C. DESSAULES	Rougemont	St. Hyacinthe, Qué.
NAPOLEON A. BELCOURT	Ottawa	Ottawa, Ont.
ARCHIBALD CAMPBELL	York, Ont	West Toronto, Ont.
DANIEL DERBYSHIRE	Brockville	Brockville, Ont.
VALENTINE RATZ	North Middlesex	New Hamburg, Ont.
ARTHUR BOYER	Rigaud	Montreal, Que.
BENJAMIN PRINCE	Saskstchewan	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	Moutreal, Que.
BENJAMIN C. PROWSE	Charlottetown	Charlottetown, P.E.I.
ADAM C. BELL	Pictou	New Glasgow, N.S.
ALPHONSE C. A. LARIVIÈRE	Provencher	St. Boniface, Man.
RUFUS HENRY POPE	Bedford	Cookshire, Que.
GEORGE TAYLOR	Leeds	Gananoque, Ont.
DANIEL, J. W.	Westmoreland	St. John, N.B.

THE SENATE DEBATES

FIRST SESSION—TWELFTH PARLIAMENT.

THE SENATE.

WEDNESDAY, November 15, 1911.

The Senate met at 2.30 p.m.

A communication under the Great Seal was read announcing that Hon. Auguste Charles Phillippe Robert Landry had been appointed Speaker of the Senate. The Hon. Speaker then took the Chair.

NEW SENATORS.

Hon. Alphonse Alfred Clement La Rivière, of St. Boniface, Man.

Hon. Adam Carr Bell, of Pictou, N.S.

The House adjourned during pleasure.

After some time the House was resumed.

The Honourable the 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 Hon. the Speaker said:

I have it in command 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 Honourable the Deputy Governor was pleased to retire, and the House of Commons withdrew.

After some time the Senate was resumed.

The Senate adjourned until to-morrow at 2.30 p.m.

THE SENATE.

THURSDAY, November 16, 1911.

The SPEAKER took the Chair at 2.30 p.m.

NEW SENATORS.

Hon. Rufus Henry Pope, of Cookshire, Que.
Hon. George Taylor, of Gananoque, Ont.

The Senate was adjourned during pleasure.

THE SPEECH FROM THE THRONE.

His Royal Highness the Governor General and Commander in Chief of the Dominion of Canada being seated on the Throne.

The Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that,—'It is His Royal Highness's pleasure that they attend him immediately in the Senate.'

Who being come, with their Speaker,

His Royal Highness the Governor General was then pleased to open the Session with the following gracious speech to both Houses:—

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

It is with much satisfaction that I meet, for the first time, the parliament of Canada, and avail myself of your advice and assistance in the fulfilment of the important charge which has been entrusted to me by His Majesty the King. I can assure you that I esteem it a privilege to be called upon to administer the affairs of this prosperous and growing Dominion, and to associate myself with you in the important duties which you are about to approach.

It affords me great pleasure to congratulate you upon the continued and increasing prosperity of the country. Our trade, both with British and with foreign countries, is rapidly expanding, and there is every prospect that its volume in the present year will be largely

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in excess of that attained at any time in the past.

Although there has been some damage to the crops in certain districts, the harvest has on the whole been abundant, and it is believed that the returns to the husbandman will exceed those secured in any previous year.

The results of the census taken during the present year will be laid before you, so far as they have been tabulated. While the increase in population has not fulfilled all the sanguine expectations that had been formed, yet it has been substantial and encouraging.

You will be pleased to learn that the revenues for the current fiscal year have, up to the present, largely exceeded those during any similar period in the past, with every prospect that this increase will be maintained.

The advantages that would result from a wider exchange of products between the various countries of the empire are undoubted, in view of the wonderful variety and extent of those productions, and negotiations have been opened for improved trade arrangements with the British West Indies and British Guiana, which should prove advantageous to those colonies as well as to this Dominion.

The importance of providing our country with better highways is manifest. A Bill will be introduced for the purpose of enabling the Dominion to co-operate with the provinces in the accomplishment of this desirable object.

It is essential to recognize that, in a country possessing so great an area of fertile land as that with which this Dominion is happily endowed, the great basic industry is agriculture. My advisers are convinced that the time has come when greater aid and encouragement should be given to those who are engaged in the cultivation of the land. To this end, a measure will be introduced under which it is hoped that there may be co-operation between the Dominion and the various provinces, for the purpose of assisting and encouraging our farmers to secure the best results in production, and at the same time preserve the fertility of the soil.

A measure will be introduced revising and consolidating the Acts relating to the inspection of grain and providing the means by which the government can secure, through a commission, the control and operation of the terminal elevators upon the Great Lakes.

A Bill will be introduced to establish a permanent tariff commission, whose duty it shall be to ascertain, by investigation and inquiry, such information as will furnish a more stable and satisfactory basis for tariff legislation than has heretofore been available.

Bills will also be laid before you with respect to the Department of External Affairs, the Archives and other subjects.

The selection of the best route for the Hudson Bay railway is engaging the attention of my advisers, and an announcement will be made to you of the result of their inquiry.

Gentlemen of the House of Commons:

The accounts of the last year will be laid before you.

The balance of the estimates for the current fiscal year, as well as the estimates for the coming year, will be submitted for your approval at an early date.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I commend the subjects, which I have mentioned, to your best consideration, and I trust that your deliberations, under the blessing of Divine Providence, may tend to the welfare and good government of this Dominion.

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

After some time the Senate was resumed.

BILLS INTRODUCED.

Bill ( ) An Act relating to Railways —(Hon. Mr. Lougheed).

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

COMMITTEE OF SELECTION.

MOTION.

Mr. LOUGHEED moved,

That pursuant to Rule 77, the following senators, the Honourable Sir Mackenzie Bowell, the Honourable Messieurs Gibson, Beique, Miller, Power, Watson, Casgrain, Ross (Moosejaw) and the mover be appointed a Committee of Selection to nominate senators to serve on the several Standing Committees during the present session; and to report with all convenient speed the names of the senators so nominated.

The motion was agreed to.

The Senate adjourned until Tuesday next at 3 o'clock.

THE SENATE.

TUESDAY, November 21, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (B) An Act to provide for the incorporation of Railway Companies.—Hon. Mr. Davis.

THE ADDRESS.

MOTION.

The order of the day being called—

Consideration of His Hoyal Highness the Governor General's speech on the opening of the first session of the twelfth parliament:

Hon. Mr. BELL moved:

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-Coburg 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; a Member of the 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; Personal Aide-de-Camp to His Majesty the King; 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.

He said: It is with great pleasure that I find myself entrusted with the honour of moving the address on this occasion. It is, to many of us at this time, a most important and interesting event, the first session of a new parliament under the auspices of a new government and under the guidance of a new Governor General.

In the first place I have great pleasure in reciprocating the kindly message of His Royal Highness the Duke of Connaught, the Governor General for our Dominion. We have had, during the history of our country, a succession of able men acting as Governors General, but now, for the first time in our history, we have a member of the royal family of Great Britain, and in his person we have not only a member of the royal family and a son of that distinguished Queen whose name will unquestionably go down to history as one of the greatest women who ever lived, one who passed, during two generations, across the greatest theatre of human affairs in ever growing dignity and splendour, but we recognize in the Governor who has been sent to us a man of ability, a man of administrative capacity, a soldier, and from whose presence amongst us we ought to and no doubt will derive inspiration and advantage. We are also delighted with the presence in our midst of Her Royal Highness the Duchess. It is too soon, perhaps, to pronounce, and perhaps not very gracious to suggest comparisons in any case, but it seems evident to the people of Canada that the Duke of Connaught and His Royal Consort are winning a place in the affections of our people already, and are regarded as eminently qualified to adorn the high station in which they are placed, and to stimulate the people of this country to great and if possible greater efforts to fill a more important part in that great circle of nations which some of us at least—I for one—hope to see eventually round out into greater Britain. I hope to see the dream of imperial federation completely realized, and I think it is an agreeable indication that just at this precise time we have had sent to preside over our affairs here a member of the royal family, who had had so distinguished a career. Although we hear so much of peace nowadays, it is undoubtedly borne in upon us that the true way to preserve and maintain peace and

to enjoy the blessings of peace is to be prepared for war; and in having a distinguished soldier, a field marshal of the kingdom as our Governor General, we may hope that we will not forget the importance and the necessity of being prepared for our own defence so that we may be able to take a proper part in the wars of the empire wherever they may be carried on.

Now, in reference to the subjects in the speech, it is exceedingly gratifying to us all to find that we are assembling here at a time when Canada is unquestionably one of the most prosperous countries in the world. Elsewhere there may be financial embarrassment, difficulty in business, some indication of a slowing up of the current of affairs, but in Canada there is nothing of the kind to be seen. At this moment our treasury is overflowing. I do not suppose that it is very becoming at so early a stage in the session of the Senate to introduce anything of a contentious nature, and, therefore, it is not well to make comparisons as to the state of affairs in this country now, and at former periods under other administrations. We may, however, be exceedingly gratified at the fact of our prosperity, although we do not pretend to attribute it to the activity of any certain people, politicians or parties. We ought to be exceedingly gratified at the fact that in Canada, no matter what government is in power, our prosperity is unbroken, the stream of our prosperity is flowing on with ever increasing volume, and that we are not likely to be harassed by any difficulties in securing a surplus or providing ample funds for the discharge of all our obligations. Apparently the stream of business is to continue as it has been in the past, and the difficulty will be to know how to dispose of the surplus. The surplus this financial year is likely to be even larger than it has been in the past. Business is so prosperous, the revenue of the country is so overwhelming that no matter how great the expenditures this country may be disposed to make, the government will have ample funds to meet them. As I have already said, I do not suggest that we should make comparisons as to the conduct, the policy or the manner in which either party in this country is directing our affairs. We ought to be satisfied with the fact that we are in a state of great prosperity and that our revenue is abounding in every sense of the word. This year, I understand, the consolidated revenue fund will be $170,780,000. Ten years ago it was $52,514,000, and those of us who can look back—and I presume we can all look back—to the year 1901, will recall the fact that even then our revenue was regarded as very satisfactory, and as furnishing proof of the great prosperity of the country. I believe that occasionally it was used as evidence of the efficiency and satisfactory character of the administration then in power. The expenditure on consolidated revenue fund ten years ago was $46,000,000. It is now nearly double—nearly $88,000,000—and still that does not at all, as is evident, tax our resources. We are so prosperous, our resources are so great, and the volume of business is so rapidly growing in this country that the custom house supplies us with ever sufficient and ever abundant sources of revenue.

In every department of industry in this country, there is great prosperity and active development. Our mineral productions which ten years ago were $65,000,000 are now $105,000,000. The value of our fisheries ten years ago was $21,000,000; it is now $29,000,000. In every department of activity the wealth we as a people are producing and placing at the disposal of the state, thereby strengthening the revenue, is ever and ever increasing, and we should therefore be exceedingly thankful for a state of affairs, with respect to which no critic could find fault. It is possible we do not always realize why it is that we are so well off, and possibly if I were to undertake to explain why we were in this position I would provoke discussion and contradiction. But I think there is one thing at least in respect of which we should always be convinced, and that is that the great prosperity prevailing in this country, and the marvellous evidences of the activity of our people as set forth in the development of our industries, ought to be attributed very largely at least to the fact that as a nation we are expand-

ing from a small beginning to great development under conditions which did not exist at any previous period of the world's history. We have lived in Canada and pursued our activities nearly one hundred years without fear of invasion and without the foot of any party hostile to the peace and welfare of our country touching our soil. In three years we will have completed 100 years of peace. We owe that fact to the great empire of which we are proud to form a very important part. Other countries have had to win their way to civilization and wealth at periods during which at times all the accumulations of industry were wiped out. That has not been the case with us. We have held our wealth secure, and have been able to devote all our attention to dveloping our industries and creating and increasing the wealth of our country.

One matter mentioned in the spech from the Throne is not quite so satisfactory as we would like. Reference is made to the census which has been taken in the course of this year. I presume we all feel more or less disappointed in the result of the census. We have been accustomed to flatter ourselves for a long time with the idea that the exodus from Canada had ceased, and we had indulged in the hope that we were approaching a much higher population than has been revealed to us by the census. When I looked over the figures carefully I discovered that we had made an increase in the ten years of 1,786,000 souls; but I discovered on a little further consideration that our natural increase in that period of ten years, figured upon the basis of natural increase, which is 12·70 for the whole of our country, should have given us an increase of 722,000 souls. Immigration gave us 1,715,326 souls, and the same rate of natural increase applied to the immigrants that we have applied to the native population in the country, would give 113,000 more, so that there should have been a total increase, including immigration and excess of births of 2,551,000. Instead of that, an increase of 1,786,000 is reported, and, consequently, it is evident that 774,000 persons have failed to find their place upon the census of 1911. It is evident, under these circumstances, that there is still a considerable movement of people from Canada to the United States. The exodus is not at an end. It has been checked to a certain extent, possibly, but it is still going on and we regret very much that we are still doing so much to add to the material strength and the population of the adjoining country. For that I do not think any administration can be blamed. I believe that we are pursuing the right course in developing our industries in order to keep our people at home, because the movement of population can be discovered in our country everywhere, not in one particular part but everywhere. It seems to me there is a tendency to drift towards the towns from the country—a tendency to abandon agricultural life for industrial life. Therefore, what is required is not to check the growth of the industrialism of this country, not to do anything at all to interfere with the attraction of people towards industrial pursuits, but the government should endeavour as far as possible to overcome the tendency of our population to leave the country and go in to the towns by making the country life more attractive. If that could be done it would be a great advantage. On the other hand, if there exists an overpowering desire on the part of the people to abandon agricultural for industrial pursuits, then it is evident that we must make greater efforts to attract to this country farm labourers or farmers, those who shall be content to take possession of the farms, which many people do not seem to prize so highly as perhaps they should. In that connection it is gratifying to find that the government of to-day, while not making a great many professions as to what it is going to do at this time, has still shown that the agricultural interests are about to receive particular attention at its hands. The first great measure which is promised in the speech, which must result in the development of agriculture and have a tendency to keep people on the farms, is the promise of assistance by the federal government in the way of highway construction. That is absolutely essential in order to make life on the farm comfortable and profitable. It is, to a certain extent, I believe, one of the reproaches which is to

be levelled against the people of almost every province in Canada, that the highways are not creditable; that while the early settlers came here without any capital, except their personal strength, made tremendous sacrifices, they wrought wonderful works in the way of clearing lands and providing roads—works that simply astonish us when we consider how handicapped were the men who accomplished these. It makes us feel that we are not now doing the work at all. In some provinces the revenues are not adequate to the demand for better roads. It is therefore exceedingly satisfactory from the point of view of those who think everything should be done in this Dominion to foster agriculture and to make it truly what the speech claims it to be the basic industry of our country—to discover that not content with devoting the revenue of the country to greater works such as railways, canals and things of that kind, they are going to come down to the more humble mode of locomotion, they are going to provide highways, and these are absolutely essential in order that the people may take full advantage of the numerous railways with which the country is provided.

Another passage of the speech promises that the federal government is about to do more than it has hitherto done, and is about to co-operate as far as possible in the matter of developing and improving the methods of agriculture in our land. That is a work in which the Dominion government has been for a long time successfully engaged, and much has been done, but much remains to be done. I suppose that it is very hard for us to realize that the most difficult business in the world, almost, is the business of the farmer. It is exceedingly technical, exceedingly complicated, and subdivided into a great number of different branches and subjects, all of which require ability and application in order to come to a satisfactory knowledge of them. Scientific cultivation of the soil is a most difficult business to learn, and with all that has been done for the farmer in the past it is still insufficient to enable him to approach his work with proper technical knowledge and proper skill. Even should the government not see their way to increase the number of agricultural colleges, there are other directions in respect of which, particularly in a country with an abounding revenue—they might very well promote the development of agricultural pursuits. In the first place, and as the foundation of all improvement in agriculture—an improvement which requires capital which is frequently beyond the resource of the individual farmer—is the great fundamental improvement of drainage, and that improvement lies at the basis of what has been termed here our basic industry, agriculture. There is scarcely an acre of farm land in Canada which does not require to be drained, and there is not an acre which requires to be drained which cannot be drained to the enormous advantage of the owner and of the state; therefore, in respect of this matter alone it might be very well to follow the example set to us a long time ago by the British government in their Drainage Act, by which capital would be placed at the disposal of the farmer at a reasonable rate, to enable him to drain his land effectively. In other respects as well, capital might be placed at the disposal of the farmer. He can furnish adequate security as a rule, and like every other business man, he will find it impossible to carry on his business successfully without capital. Those who are intimate with agricultural pursuits know perfectly well that farmers thoroughly realize that farming is a business which cannot be carried on without capital. They realize that the proper place to invest their savings is in their land, their implements and their farm stock, and this country would render a great service if it placed at the disposal of the farmers the credit of the state so as to enable them, the proper security being given, to bring to their assistance capital, which is the vivifying influence without which no trade or business can prosper. There are many other matters in the speech which I will not grapple with. We are all exceedingly interested in seeing that something is to be done in the matter of grain inspection and to control the terminals at the Great Lakes, matters in respect of which there is great feeling in the west,

and in respect of which a large delegation is about to visit Ottawa, I understand, to present their views to the government. The Tariff Commission is another important matter. I have had the pleasure of taking part in all the tariff fights which have been waged in Canada since 1878, and it has always seemed to me that it is a very rough and ready method of settling a very delicate piece of business like the establishment of a tariff, by making it the main subject of contention in a political contest which takes place in this country every time the great parties go in to the arena to struggle for supremacy. A tariff commission should be composed of men versed in business affairs, who know what a tariff is, who know what it should be, what its purpose is, men who have ample knowledge of the various businesses and industries of the country, and some realizing sense of the difficulty of making a tariff or changing a tariff without interfering with or jeopardizing or perhaps destroying certain industries. I believe that those who realize what that means will be delighted to discover that a tariff commission is to be entrusted with the work of preparing our tariffs in the future. The outcry of depressed industry here or there, or the demands of certain localities resting on certain grievances, by their energy, might force the government into making concessions, disastrous in their consequences. The tariff should be treated as a scientific instrument intended to give the country as much revenue as possible with as little injury to the people as possible, and as little as possible of that revenue should be diverted from its proper goal, the treasury of the country, and private interests should not be allowed to get undue advantage from the changing or modification of our tariff. It is a work to which expert trained minds with adequate knowledge should be called and when it is taken up and dealt with in that way, I believe we may hope to have a fairly satisfactory tariff. Possibly such a thing as perfect tariff cannot be made. It will be impossible to make it satisfactory to all; but we should be able to approach such a goal by using the services of experts not of parties in politics. It should not be a subject of party strife, but purely a business proposition, and an endeavour to adjust the schedules so as to give to the country the largest revenue with the least inconvenience. I shall not deal with the other matters referred to in the address. My hon. friend will no doubt take them up.

Hon. Mr. TAYLOR—I realize the great honour that has been delegated to me in having been selected to second the address in reply to the speech from the Throne. Having so recently been called to the Senate after having served my constituents for 29 years in the popular Chamber, I appreciate the honour all the more, and will endeavour in the few remarks that I propose to make to avoid as much as possible anything of a partisan character.

We in Canada are favoured with responsible government; we are pardonably proud of our British laws and British institutions. His Majesty the King, represented in Canada by the Governor General, is one of the ties that binds us to the motherland. We have been singularly favoured by the governors who have presided over the destiny of our young country in years gone by and now we still have greater reason to feel grateful in having sent to us one of the royal family in the person of His Royal Highness, the Duke of Connaught. We trust his stay with us during his tenure of office may prove as pleasant and profitable to himself and his royal consort, the Duchess of Connaught, as undoubtedly it will prove to us. His immediate predecessor, Earl Grey, by visiting all portions of the Dominion, became acquainted with the people of Canada, interested himself in their daily lives, and secured a knowledge of the country that aided him materially in the discharge of his high and important duties. His example will no doubt be followed by His Royal Highness, our present Governor General and we hope with a like result.

Canada has for several years been blessed by Divine Providence in providing us with a succession of good crops that has resulted in producing prosperous times, and we are glad to know that the present year has been no exception and all classes of our people have participated in the benefits arising therefrom.

Our population has been increasing rapidly with a better class of emigrants than came to our shores a few years ago, and while complaints have been made as to the correctness of the recent census in many portions of the Dominion and disappointment expressed at the returns in many of our cities and towns, still on the whole the increase in population is fairly satisfactory, and the prospects in the future in this respect are of the brightest.

There is possibly no measure that has been foreshadowed in the speech from the Throne of greater importance to the country as a whole than that relating to the improvement of our highways. The Dominion government has assisted largely in the building of three transcontinental railways which are now constructed or under way of construction and which have been, and will be of great service to the Dominion of Canada, but as the great proportion of the products of the farmer have first to be hauled over our country turnpike roads is it not of first importance that the cost of this transportation be reduced to a minimum by the improvement of our highways? I am informed that in England it costs eight cents per ton per mile to haul produce over their country roads while in Canada it costs about 26 cents per ton per mile. Would it be unreasonable for me to suggest to the government the propriety of building a transcontinental highway and maintaining the same; then arranging with the provinces to build and maintain side roads at certain distances and arranging with the counties in each province to build and maintain the cross roads and concession lines; to have all roads up to a certain standard? If this were done the advent of the automobile will attract a great number of tourists to Canada. And with the Dominion, provincial and municipal governments co-operating towards this end, substantial progress should be made within the course of the next few years. Good roads mean increased facilities for trade, larger traffic, more intimate relations socially and in business between our peoples, to say nothing of the additional pleasure and comfort derived therefrom.

Canada is largely an agricultural country, and when the agricultural industry is prosperous that prosperity will be reflected and extended to all other classes. It is therefore gratifying to know that it is the intention of the government to further aid that basic industry of the country, and thus encourage the young men to remain on the farm, and to afford him every opportunity to be educated along the lines of intensive and scientific farming which will bring him better returns for his labour and render his occupation one of greater attraction.

In accordance with the promise of the Prime Minister made when leader of the opposition, it is the intention to appoint a permanent tariff commission to deal with all matters relating to the tariff. This action it is hoped will do away with many inequalities now existing, and after a careful investigation of all those features which should be taken into consideration in the formation of the tariff, such as cost of production, wages, &c., we trust that greater fairness to all parties, producers and consumers alike, may result; greater stability, a more scientific tariff that will encourage home production with sufficient internal competition to ensure fair prices to all parties concerned.

Reference has also been made to the Hudson Bay railway, and it is only right before entering upon this important work that definite knowledge should be secured as to the best route to the bay, and the best harbour at its terminal. The road will prove a great benefit, especially to western Canada, and when the route has been finally decided upon it should be prosecuted with energy, as with increasing population and a greater area under cultivation year after year, the transportation of our best products will prove a great problem indeed.

The taking over of the terminal elevators is another most important measure, which is to be provided for by legislation at this session of parliament. Abuses have arisen in connection with the marketing of the grain by which mixing has taken place to the consequent deterioration of its quality; and after repeated experiments by legislation to do away with those abuses, but without success, it is now deemed necessary to make provision for the operation of the terminal elevators by means of a Commission with wide powers which it is hoped

may remedy the grievances complained of, and result in bringing to the farmer the full value of his crops.

Other measures of importance are likely to come up for discussion and adoption, and we trust will meet with that consideration at the hands of the honourable members of this House that their importance demands.

Rt. Hon. Sir RICHARD CARTWRIGHT —It gives me very considerable pleasure to welcome to our body certain old-young acquaintances of mine—old in former days, young as members of this honourable body —and I make no doubt whatever that my hon. friend opposite will find these gentlemen who have recently been added to our number a very valuable acquisition to his somewhat depleted ranks. I do not grudge them to him in the least. I have always been of the opinion that it was rather a mistake that one of the two parties in this country should be represented somewhat weakly in this Chamber. We had our experience in old times; my hon. friend may have his experience now. As to the mode in which these hon. gentlemen have discharged their duties, I have no complaint whatever to make. They have, even in the hour of victory, been moderate and temperate. Whether they have always been as moderate or temperate, or whether they would be as moderate or temperate if the proportions between the two parties were reversed, I will not undertake to say, but in the present instance I have no complaint whatever to make as to the mode in which they have discharged their duties.

As to the document itself which we are called upon to discuss to-day, I am not prepared to speak quite as favourably. To my mind it resembles very much the description given of a certain patent by a certain eminent jurist, which was to the effect that everything which was good in the patent was not new, and that everything which was new in the patent was not good. That would be a pretty accurate description, if it is not disloyal to say so, of the speech which has been put in His Excellency's mouth and thus delivered from the Throne. I am sorry to say that there are two or three things in it which are new, on which I shall be obliged to offer some criticism; but as regards the main part of it I am bound to say that there is not much in it to criticise. What it is chiefly remarkable for is the omission to make any reference whatever to a question which was very recently discussed in the country and for some time preceding the election which has been before us for a couple of years, and which has been made the subject of many motions in the House of Commons, and led to a very decided division of opinion between two large sections of supporters of the present government. If there was any question on which we have a right to know, and on which the people of Canada have a right to know, what the opinions of the government are, it is the question of the naval policy which was inaugurated by the late government. It is a mere subterfuge, and in my opinion a cowardly subterfuge, for those gentlemen to say, after having had this question before them for two years or more, that they are not able now to state whether they acquiesce in the policy which was placed on the statute book by the late government or not. Possibly before the end of the debate in another place is arrived at we may obtain some more light on the subject; but I observe that my hon. friends up to the present moment have been most religiously silent as to that question on which it is well known that before they took office the members of the present government were exceedingly divided in opinion.

There is another matter to which I might allude and it is this : unless my memory is wholly at fault I think my hon. friend the leader of the opposition in former days was wont to complain that the Senate was badly treated because in this Chamber we had only one member of the government holding a portfolio. The complaint cannot exactly be applied to him as I understand he does not hold a portfolio and I am bound to say that having regard to my hon. friend's party experience and general capacity, I pay him no compliment at all in stating that he is fully the equal if not the superior of any of his colleagues with whom he is now associated who are now provided with portfolios and I hope

that lapse will be remedied as soon as possible.

Looking at this production which I hold in my hands, particularly the first four pages thereof, I would be disposed to say that so far as regards the first half of this production it might perhaps be very fitly described as the song of the cuckoo, as a kind of jubilation on the part of the hon. gentlemen opposite on having got into such an exceedingly well-feathered nest as they now occupy without any exertion, pains or effort on their part. It is satisfactory for me to know, as my hon. friend opposite has said, that Canada is now in a condition of bounding prosperity. He might have said with perfect truth, and no man could gainsay it, that for the last fifteen years the prosperity of Canada has been phenomenal, that not merely in the history of Canada, but I believe in the history of the whole civilized world known to us there is no instance of a country having prospered during the fifteen years which have elapsed from 1896 to 1911 as Canada prospered under the administration which has recently resigned power. I can understand perfectly well that my hon. friend opposite did not like to make comparisons. To those of us who remember the state of stagnation and retrogression which prevailed in Canada for the fifteen years preceding 1896—from 1881 to 1896—it is very easy to understand why my hon. friend did not like to make any unpleasant comparison. I am not equally scrupulous. I think it is well that at this early date he should remember, and the members of this House and the people of this country should remember, that during the last 15 years the prosperity of Canada has been perfectly phenomenal. When we came into office we know the position in which we found Canada. From a trade and commerce of about $200,000,000, the trade and commerce of Canada expanded under the late administration to $800,000,000 during the current year, in all probability. We had a surplus last year of $30,000,000. There is scarcely any doubt that the surplus will reach $40,000,000 this year, and although my hon. friend appears to think that the results of the late census must have been disappointing to our people, surely he cannot have forgotten that even if only 1,786,000 souls were added to our numbers between 1901 and 1911, and if that is less than we had at one time hoped it would be, it certainly does compare most favourably with the addition to our numbers between 1881 and 1891, when, even with the aid of counting a very large number of people who were absent from the country into the returns, we barely mustered 500,000 souls all told. Five hundred thousand, as compared with 1,780,000, is a record of which the Reform party need not be ashamed.

I observe that the hon. gentlemen—and I have not the slightest objection to them doing so—are extremely desirous of putting into effect a certain Bill which passed through this House after mature consideration, a matter of three or four months ago. I may say it would have been much more to the credit of the House of Commons if they had taken that measure up and devoted some time to putting it into effect than spending time in wrangling during the last months of the session. As far as I can understand from the paragraph in the speech from the Throne, what the hon. gentlemen propose to do is simply this: we took power to do everything they propose to do, but we reserved to ourselves the right to make the experiment whether we could or could not do all that the people of the Northwest expected to be done without the necessity of sinking millions of money in the purchase of certain elevators. I do not mean to say that it may not prove good policy. As stated at the time, it might be necessary to be done, but I say it would have been wiser and more politic and prudent to have made the experiment in the first instance before putting the country to very large expenditure with results that may prove very different from those which hon. gentlemen expect.

As for their other propositions, I am wholly in accord with them in thinking it is right and desirable that all possible means should be taken to preserve the fertility of the soil and encourage agriculture, and anything in that way fairly conceived and fairly carried out will always have my individual support, and I think I can say

the support of the members of my side of the House. But after all is said and done, that is nothing except carrying out the work which was begun and ably carried on by my hon. friend Mr. Fisher during the period he was Minister of Agriculture. If they will do it as well as he did, and produce as good results as he did, they shall have my hearty commendation and support. I regret, however, to see that there is one proposition they make which is specious enough on the face of it, but which requires a great deal of careful consideration, that is the proposition to co-operate with the several individual provinces for the purpose of constructing roads. Now that is a thing which may or may not, under certain conditions, be of advantage to the country, but the hon. gentleman has not alluded in the slightest degree to certain facts which are very material in this connection, and which this Senate ought in particular to seriously consider when any such measure is brought before them. Everybody who knows anything of the economic conditions of Canada knows perfectly well that there are many provinces which tax themselves at this present moment very highly for local and municipal purposes, and others which hardly tax themselves at all, and they know perfectly well there are many of those provinces which contribute to the Dominion treasury sums per head vastly in excess of those that are contributed by others. Now I am perfectly willing that those provinces which are rich should contribute in proportion to their means, but it is not so clear to me that provinces like Manitoba, Saskatchewan, Alberta and British Columbia which are already heavily taxing themselves for municipal purposes, and which are already contributing enormous sums to the public treasury, larger in proportion to their population than those of many other provinces, should be compelled out of that contribution of theirs to submit to heavy expenditures for the benefit of other portions of the community who do not choose, and never have chosen to tax themselves for municipal purposes. Therefore, I doubt exceedingly the wisdom or propriety of mixing together the Dominion and the provincial finances any more than we have done. Those who remember the circumstances under which our confederation was formed are aware that the system of subsidizing the provinces was had recourse to with extreme reluctance. It was necessary to do it, or let the whole scheme go by the board, but the fathers of confederation were not blind to the dangers which were likely to arise from that, and looking at it from the constitutional point of view I can conceive of nothing more likely to encourage extravagance, or corruption for the matter of that, than requiring one party to provide the money for other parties to spend. Unless great care is taken, I am afraid that will be the result under the proposition which has been suggested by the government of to-day. However, that can be better discussed when we have the matter before us in detail, as I presume it will be in reasonable time.

Now with reference to reciprocity, I desire to say but one thing with respect to certain matters which have lately transpired and which transpired during the course of last election. I have not the slightest objection whatever to the people of Canada deciding for themselves as they see fit whether or not they should extend their trade relations with the people of the United States. That was their clear right. Nobody can dispute it, but I do object and did object at the time in the strongest possible manner to the unfortunate way in which the contest was conducted on the part of a very great portion of the press and supporters of hon. gentlemen opposite. If there is one thing more than another that every Canadian statesman who is worthy of the name ought to avoid it is fostering or pandering to a spirit of hostility and animosity between Canada and the United States. Now, for months together I could not take up an opposition paper of that day from one end of Canada to the other without seeing some slur or taunt or innuendo or scurrilous attack—for it amounted to that very often—on the people and government of the United States. I observed some little time ago that the present premier took occasion at a dinner in the city of New York to express to the people and through the press the remarkable good will and affection which he entertained towards

the people of the United States. Had he made that statement while the election was going on, had he chosen to curb the attacks of his followers and put a stop to the mode of slandering which was then in practice, I would have held his remarks entitled to more consideration. It may interest the House and my hon. friends opposite and may interest Mr. Borden himself to know how those remarks were received, by some at any rate, among our friends on the other side of the border. I have here an extract which was sent me from some one of the papers of the United States in which they deal with this subject in a fashion which I think is well worth while my hon. friends to consider carefully. The article reads as follows:

We observe that Mr. Borden, the new premier of Canada, has been good enough to intimate at a dinner at New York, that he entertains feelings of the warmest respect and goodwill for the people of the United States.

We are not aware that the people of the United States are likely to concern themselves very much about the state of Mr. Borden's feelings towards them.

But we are aware that Mr. Borden has been elected premier after a campaign during which his partisans and the press which supported him have indulged in every description of paltry innuendo, not to say of downright abuse of the government and people of this country, and that during this campaign the aforesaid Mr. Borden did not make the slightest attempt to check the torrent of vituperation by which he profited.

Now Mr. Borden apparently wishes to apologize.

He might as well and indeed very much better have let it alone.

Neither the insults of his partisans nor his own fulsome apologies will be regarded with anything but contemptuous indifference on this side of the border.

But there is another aspect of the question which he and his friends, and indeed the people of Canada will do well to ponder. No one disputes their perfect right to enter into closer trade relations with the United States or not as they may see fit. But it is one thing to decline an offer courteously and quite another to decline it insolently and to insinuate that it was made from unworthy motives, and this last is exactly what the people of Canada in their collective capacity have just done.

Now it is an open secret that for several years back there has been developing a much more cordial feeling on the part of leading American statesmen and public men generally towards Great Britain and incidentally towards Canada as part of the British Empire than prevailed formerly.

This in our judgment was as it should be. There are many reasons why the United States and the British Empire should act in harmony. But the relations between the two countries are in a high degree a matter of sentiment and it would be idle to deny that the recent action of Canada and the senseless abuse of everything American with which the press of the dominant party has teemed for many months have had a very chilling effect on this sentiment, and Canada may congratulate herself on having done more to estrange the two nations by her conduct than she will be able to repair for many a day to come.

I fear that that expresses only too correctly the sentiment of a great many parties who were formerly well disposed towards us in the United States, and as I have said while I would have given Mr. Borden and his friends every credit had they, while this campaign of abuse was going on, raised their little finger to stop it. I am afraid the mischief which has been done is far greater than they will ever be able to repair. I have all my life long seen and felt that the greatest service the people of Canada could render to the British Empire is, was, and will be to cultivate if they can friendly relations with the great nation on the other side of the border. Do these people know—do these slingers of mud recollect that the people of the United States to-day are something like a hundred million strong? They were close on 95,000,000 two years ago when the last census was taken, and they must be close to one hundred millions to-day. If they increase at even a smaller ratio than they have been doing, it is almost mathematically certain that ten years from now they will number one hundred and twenty millions, and within twenty-five years will reach one hundred and fifty millions, and that is the kind of power, that is the sort of nation that these people think it wise and prudent, and in the interest of the British Empire for us to insult and estrange. There is another class of persons as to whom I would say a word, and that is those ungrateful fools among English public men—and I use the words with emphasis—those ungrateful fools who have recently been exulting at the downfall of the only administration that ever conferred any substantial benefit on British trade or even raised a hand to assist British arms. I know enough of the stolid ignorance of Canada and things Canadian which prevails among too large

a section of the British people, not to understand how completely ignorant these people are of what they are talking about; but I can tell them this, that if they did know anything of Canadian history they would know that they had done their best —their little best it may be—to depreciate the one government that did any respectable service to the empire within my time and generation at least.

There are one or two points apart from these on which I desire to say a word, and first as to the attitude of the Senate itself. I know I speak for my hon. friends beside me when I say that my hon. friend opposite will meet with no factious opposition or criticism from this side of the House; but he will do well to remember that the present House of Commons can hardly be considered more than a provisional House of Commons. The present House of Commons is not in the proper sense of the term a true and representative body at all. At this moment the House of Commons contains a large proportion of members from the east, more than the east is entitled to, and on the other hand this present House of Commons hardly allows to the Northwest more than half the representation it is properly entitled to, and until that anomaly is removed, until the House of Commons does fairly represent the people of Canada, it is hardly entitled to the same rights and privileges as might be accorded to it under other circumstances. My hon. friend himself on former occasions complained—and I am bound to say not without reason—of the way in which the government of the day used to treat the Senate in not giving them due time to consider important measures proposed to them. I cry 'peccavi,' although I tried my best to remedy the evil as a member of that government, and I now formally tender to my hon. friend on my own part and on behalf of my hon. friends beside me, our hearty support in aiding him to bring his colleagues to a proper sense of their duty in that respect. I have no doubt my hon. friend will do his best, and I hope and trust that with our aid he will succeed in bringing about a better state of things in the future than has prevailed in the past. To himself I tender my congratulations. I am extremely pleased that he should be leader of the Senate. During the time I sat on the other side, I had every reason to be satisfied with the manner in which my hon. friend conducted his task as leader of the opposition, and I have no doubt that the same pleasant relations will prevail between us in the future as in the past. As to you, Mr. Speaker, I have not the slightest doubt that you will worthily fill the high office to which you have been appointed; I am sure you will be much missed from the floor of the House, and I will pledge my word to you that so long as you remain in the chair, no question will be put to you from this side of the House for which we will not be able to obtain an ample precedent in some of the questions put by yourself from your former place in this body.

Hon. Mr. LOUGHEED—I join with my right hon. friend in congratulating the mover and seconder of the address for the very able and genial manner in which they have performed the task placed in their hands. A task of this nature in the Senate possibly is not so easy as it is in the Commons. There is here an absence of that spectacular influence which gives to a speaker inspiration by which he very frequently calls up oratorical powers which in all probability will lie latent in the absence of any special cause to evoke them. It is also very satisfactory to find that the four members of this House that have been introduced into the Chamber during the present session are old parliamentarians from the House of Commons. Notwithstanding the many attacks which from time to time are made in that chamber upon the Senate; notwithstanding the many unfriendly criticisms which are advanced not only by members of the Commons but by the press of the country with reference to the reformation of this Chamber, it is certainly gratifying to find that ex-members of the House of Commons are always found sufficiently courageous to take a seat in this House when tendered it. I hope this will continue. I have always regarded the experience and judgment which hon. gentle

men have acquired, and matured by long service in the House of Commons, to be an asset of Canada, an asset of which we should take advantage in public affairs, and I know of no more desirable channel through which to pass to secure that asset than for hon. gentlemen who have served in the House of Commons many years than through the Senate of Canada. We have amongst us a number of hon. gentlemen who have had the experience to which I have referred, and I hope that many of the additions from time to time to the ranks of this honourable body will come from that particular source. It is therefore with no uncommon pleasure that I extend my congratulations to my hon. friends who have been introduced this session, and I hope they will not cease to exercise that same activity in this Chamber that I know characterized them in the House of Commons. One might safely make the suggestion to some of the members of this House that a little additional activity, a little additional interest in the proceedings of the Chamber and in the various duties of the committees would possibly place the Senate in a very much more favourable light before the country than that which we have occupied. Permit me to join with the mover and seconder of the address in expressing my satisfaction at the acceptance by His Royal Highness of the Governor-Generalship of Canada. His appointment has been received throughout the Dominion with profound satisfaction and appreciation. This is the first occasion in the history of this Dominion that a member of the royal family has done us this great honour. It is in fact, I believe, the first occasion in the history of the self-governing dominions that a member of the reigning family has identified himself by residence in the national activities of the greater empire beyond the seas. We regard this as a tribute to Canada, and as indicative of a more organic union in imperial affairs that at an early day must bring together the separate political units which constitute the empire. It must be gratifying to all of us to know that the Governor General is equipped with a ripe experience gathered in every part of the empire. Therefore Canada extends to His Royal Highness and his gracious royal consort, who through her many graces will adorn the office with him, the most loyal welcome, which a most loyal people can extend, and we hope Their Royal Highnesses' term of office in Canada may be to themselves and to us one of supreme satisfaction, pleasure, and success.

There is a clause in the address to which my hon. friends have already made allusion, foreshadowing that it is proposed to take the tariff out of politics. Notwithstanding the fact that my right hon. friend has long been a critic of tariffs, I awaited his criticism of this particular clause in the address. I, however, ascribe to him that good judgment of not being critical as to the desirability of establishing a tariff board for the purpose of placing on a scientific basis the tariff of Canada. I need not say that the fiscal policy of a nation is ever controversial. It is a human product and except for the effort that has been made in the United States of recent years to place the tariff on a scientific basis, I am unaware of any other nation having attempted to take the tariff out of politics, to free it from that pressure of special interests which is invariably brought to bear upon its making. I believe that public opinion in Canada will sanction and approve the adoption by the government of a proper measure for the appointment of a tariff board to place the tariff of our country upon a fair and equitable basis. The difficulty with tariffs, not only in Canada, but the United States, and in the various protective countries of Europe, has been that they are framed chiefly in proportion to the importunities or special efforts which are brought to bear in moulding their schedules. There is not a gentleman in this Chamber who is not familiar with the way in which amendments are secured from time to time in our tariff. If a special interest—a very influential or dominant one, influencing to a very large extent, as many of them do, the political destiny of one party or another, will reflect such influence in public tariffs. The relation between the producer and consumer is very seldom considered, and it is time public opinion became aroused in Canada so that we may have a tariff which may be proof against the

very many inequalities that we find embodied not only in our own tariff, but in those of other countries. It is to be hoped that at an early date a bill will be introduced sufficiently illuminative as to what will be done in this particular direction. It may suffice for me to say at the present moment that such a bill may in all probability be based to some extent upon the experience which the United States government has had with reference to its own tariff commission. The tariff commission in the United States, up to the present time has been created under the executive order of the president, and I understand is not yet under the jurisdiction of Congress. I understand that a bill was introduced at the last session of Congress for the purpose of establishing that commission as part of Congress, and that during the approaching session of Congress that will be done.

Hon Mr CASGRAIN.—Will you go to Washington to get that?

Hon. Mr. LOUGHEED.—That is not necessary at all; but if we did go to Washington the suggestion would probably have met with approval from my hon. friends opposite us. I understand that was one of their political weaknesses in the days gone by. For the purpose of promoting the friendly relations which my right hon. friend referred to a few moments ago between the United States and Canada, it might be diplomatic to go to Washington to secure any good legislation which they may have passed there.

Hon. Mr. CLORAN.—We wanted them to pass it but you would not let them.

Hon. Mr. LOUGHEED—From a perusal of an official document issued by the United States touching the creation of a tariff board, I find it most comprehensive. The tariff board in the United States has a staff of over seventy people. I understand its functions are simply administrative and judicial. It does not seek to take from Congress any legislative functions. The staff is composed of technical experts, of investigators, of examiners, by which the most comprehensive knowledge can be readily obtained respecting the tariff. I think some five of six of them reside in Europe. I find from the document before me that of the technical experts in the field they have one in Europe. They have three chief examiners in Europe. They have one representative in the field in Europe. Thus a staff of some four or five who practically reside in Europe, making the closest investigations into the products and the various imports that come in to the United States so as to give the most comprehensive information to the board in shaping the tariff.

Hon. Mr DAVID.—Does that mean that the government must be responsible for the decisions of the board?

Hon. Mr. LOUGHEED.—No. As I understand, the board has not the power to make changes in the tariff. They are simply advisers. They exercise administrative and judicial functions without having any legislative power.

My right hon. friend with some degree of feeling referred to the late campaign which was fought out through the Dominion, and resulted on the 21st September last in a judgment being given by the people of Canada adverse to the late government. It was not my intention to make any reference to that fact, but as my hon. friend has made a charge as to unfriendly, in fact hostile, feelings being manifested by a large section of the people of Canada towards the United States it seems to me desirable that if there is ground for the contradiction of such a statement it should be given. I think my right hon. friend entirely misapprehended the spirit of the electors of Canada in their expression of judgment on the 21st of September. It seems to me that in view of what has taken place in the United States touching the discussion of this very important question in Canada, the people of Canada would have been untrue to their traditions and to the dignity which should characterize them as a people if they did not resent the position taken by public men of the United States on that occasion.

Hon. Mr. CLORAN—Only one man.

Hon. Mr. LOUGHEED—I have no desire to say anything that would in any way be unfriendly to the good relations which

should obtain between the two people, but there is not a public man in Canada who is not familiar with the extraordinary expressions which were uttered in the United States by the President, by their public men and press, touching the ultimate object of the United States in seeking to establish reciprocal relations with Canada. I do not say that the sentiments expressed by the President of the United States or by the journals of the United States were unfriendly to Canada, but I say that the only construction you can place upon those sentiments led to only one conclusion, and that was the ulterior object which the United States government had in seeking to negotiate a reciprocity treaty with the people of Canada. My right hon. friend has attacked a very large and influential party in England on account of the sympathy which they manifested with the Conservative party on the victory obtained at the polls on the 21st September last. My right hon. friend thinks that the Prime Minister of Canada should make an apology to the people of the United States on the ground of the unfriendly expressions of Canadian opinion as to the motives of the people of the United States during that campaign.

Hon. Sir RICHARD CARTWRIGHT—I made no such suggestion. What I did say was that it would be no use to do it.

Hon. Mr. LOUGHEED—While I am not authorized to make a statement on the part of the Prime Minister of Canada, I venture the assertion that the Prime Minister had nothing to apologize for, and I venture to say that the position taken by the Prime Minister in the discussion of that question throughout the campaign from the dissolution of parliament down to the present time is one which not only commended itself to the people of Canada as exemplified on the 21st September, but it had the sympathy and admiration of the whole empire. When we find the President of the United States in that campaign making before the American newspaper publishers association of New York, this statement:—

> I have said that this was a critical time in the solution of the question of reciprocity. It is critical because unless it is now decided favourably to reciprocity it is exceedingly probable that no such opportunity will ever again come to the United States. The forces which are at work in England and in Canada to separate her by a Chinese wall from the United States and to make her part of an imperial commercial band reaching from England around the world to England again by a system of preferential tariffs, will derive an impetus from the rejection of this treaty, and if we would have reciprocity, with all the advantages that are described and that I earnestly and sincerely believe will follow its adoption, we must take it now or give it up for ever

It is for my hon. friend to take his choice betwen the negotiation of a reciprocity tariff between Canada and the United States by which we throw down our tariff walls and permit the United States to take possession of our natural resources, for the development of their own manufactures, and to build up their trade from within our boundaries, or for Canada to work out her destiny as the President expresses it, 'To make her part of an imperial commercial band reaching from England around the world to England again by a system of preferential tariff.'

Hon. Mr. EDWARDS—Does my hon. friend expect that to follow?

Hon. Mr. LOUGHEED—I am not prepared to say it will be realized but I trust it will at no distant day. I prefer to see Canada a part of a commercial band reaching from England around the world again to England by a system of preferential tariff rather than to see her subordinated to the interests of United States.

Hon. Mr. EDWARDS—That is not the question.

Hon. Mr. LOUGHEED—I ask my hon. friend again if he thinks the people of Canada should have accepted in quietude and in docile passiveness the act of a member of Congress in deliberately introducing a bill at the time our representatives were in Washington discussing this treaty, for the annexation of Canada to the United States? This took place at the very time the representatives of Canada were discussing with the representatives in Washington the adoption of this very treaty.

Hon. Mr. DANDURAND—That gentleman was against reciprocity.

Hon. Mr. LOUGHEED—Even though he might have been against reciprocity, he

had the temerity to introduce a Bill to annex Canada to the United States.

Rt. Hon. Sir RICHARD CARTWRIGHT —What treatment did that proposition receive in the Congress of the United States?

Hon. Mr. LOUGHEED—I did not expect Congress to pass that Bill at that particular time without further negotiations with the late government; but at the very time the representatives of Canada were discussing this tariff question with the representatives of the United States they did not sufficiently appreciate the dignity and the respect which they should have paid to a self governing dominion of the British Empire to curb the head of their own Congress from making a speech declaring that what he favoured was not reciprocity but the extension of United States boundaries from the Gulf of Mexico to the Arctic Sea. I refer to Mr. Champ Clark.

These are a few incidents. I could multiply those incidents by a hundred, and not coming from irresponsible sources, but from some of the most responsible sources in the United States, from the President down, from the most influential newspapers to the least influential. Does my right hon. friend fancy that for a moment the people of Canada should have prostrated themselves in the dust and have adopted a quiescent policy while those insults were being heaped on the people of Canada? However, the Canadian people gave judgment on the 21st of September, and from that there is no appeal for the time being. I would, however, indulge in the hope, which I know is entertained by my right hon. friend, and which has been very frequently expressed by him, that it would be exceedingly unfortunate that anything should be done at this or at any other future time to impair the friendly relations which for a century have been maintained between these two great peoples. I venture to say that the good sense and sound judgment of the people of the United States and the empire sprung from the same race, living practically under the same governmental institutions, speaking a common language, worshipping a common Maker, will resent being interrupted or disturbed in any way by political controversy created through the discussion of trade relations between the two nations. We are about to celebrate a century of peace between the Anglo-Saxon races, and I think my right hon. friend will give to the Conservative party the credit of being desirous, as much as the great party to which he belongs, to promote peace and good will between these two great Anglo-Saxon nations.

If I may be permitted to say a word in regard to some of the other questions mooted by my right hon. friend, I would say in answer to those questions of policy which he thought should have been elaborated at the present meeting of parliament, that he must not overlook the fact that it was only on the 10th October last that the present government was sworn in. An inheritance was left to the present government that could only be met by Governor General's warrant for the purpose of extricating the country from the difficulties in which we were precipitated by the dissolution of parliament and the bringing on of the elections, and my right hon. friend can scarcely be very sincere in thinking that the present government would have brought down any declaration of policy on those questions at the present session of parliament. My right hon. friend must not forget that when his government came into office in 1896 and met parliament in the latter part of the summer, notwithstanding the many planks in the Ottawa platform of 1893, there was nothing in the address touching the declaration of the various policies which had been advanced by that party during the eighteen years they were in opposition.

If my right hon. friend, therefore, will be able to await the next session of parliament I have no doubt he will be thoroughly satisfied by the declaration of policy which at that time will be made. I desire to express my thanks to my right hon. friend for the very flattering references which he made to myself. I certainly desire to make an acknowledgment to my friends on the opposite side of the House for the civility, generosity and courtesy which I received while attempting to discharge my duties when occupying the seat my right hon. friend now occupies, and I feel satisfied from my personal knowledge

of my friends opposite, and from the treatment which I have received in the past, that I shall receive the same courtesy in the future, and I think I need have no higher aim in discharging the duties which pertain to this particular office than in attempting to follow in the footsteps of my right hon. friend while he occupied the position. If I succeed in discharging the duties as acceptably to the House as my right hon. friend then shall I be perfectly satisfied.

Hon. Mr. POWER.—I do not propose to make a speech. I wish to make a few observations on the speech with which the address deals, but before saying a word about that I should like to repeat, in perhaps stronger terms, the compliments paid by the right hon. leader of the opposition to the hon. gentleman from Pictou (Mr. Bell) who moved the address. I have had the pleasure of knowing that gentleman for a great many years, and I venture to sum up my view with respect to him by saying that in the whole Conservative party in Nova Scotia I do not think there was any gentleman whose appointment to the Senate would have been more fitting than his own. The hon. gentleman had experience in the House of Assembly in Nova Scotia and the House of Commons at Ottawa. He is liked and respected wherever he is known, and he has made a good record in both those Houses. I have no doubt that when the history of the present parliament comes to be written the hon. gentleman's record will be at least equal to what it has been elsewhere. The hon. gentleman from Gananoque (Mr. Taylor) has been undoubtedly a very strenuous fighter in another place, but I do not quite agree with the right hon. leader of the opposition in supposing that he and the hon. gentleman from Pictou would have adopted a markedly different tone if the relative strengths of the two parties of this House were different. My experience has been that there is something soothing and tempering about the atmosphere of the Senate, so that when the fiercest fighter of them all comes up from the other Chamber, in a little while he is subdued to the tone of this House. As to the hon. leader of the government in this House, I need say nothing in his praise. The members of the Liberal party in the House have always looked upon him with a friendly eye in the past, and there is no reason to suppose they will change their views; and as a humble member of the House, I wish to express my concurrence in the statement made by our right hon. leader that there will be no factious opposition from this side of the House. Before dealing with the speech from the throne I wish to make a brief observation as to His Royal Highness who now acts as Governor General. I endorse everything that has been said about him, and I wish to point out the exceptional honour done to Canada by the King in appointing his uncle to be Governor General of Canada. His Majesty appointed the man in the empire who stood next to himself to come here and act as Governor General to this Dominion. That is the very highest honour and compliment that could be paid to this country. His Majesty could not come himself, but he did the next best thing and sent his nearest relation. I do not propose to deal with the speech at any length. One of the early paragraphs says that negotiations have been opened for improved trade relations with the British West Indies and British Guiana. The hon. gentleman from Pictou (Mr. Bell) is perhaps old enough to remember that in the year 1866 a Commission was sent out by Nova Scotia for the purpose of establishing better trade relations with the West Indies and Guiana, and a member of that commission was an hon. gentleman from the county of Pictou. It will be remembered that in 1866 the question of the union of the colonies was a very live question, particularly in the province of Nova Scotia, and this hon. gentleman from the county of Pictou had declared himself as being hostile to confederation, and in order to eliminate him from discussions that would take place in the local legislature he was put on this commission and sent to try and make improved trade relations with the West Indies and Guiana. I do not think any important arrangements were made then, and I do not think any important arrangements will be made now.

At the same time I must confess to a slight feeling of surprise at reading this paragraph of the speech. Every hon. gentleman here must be aware that during the campaign which closed on the 21st of September last the universal cry over this country was, 'let well enough alone.' They did not undertake to say that reciprocity might not be of some benefit, but we were very well off, let well enough alone, do not take any risks. We were well enough off and why should the government try to make a change? If we were well enough off, and if well enough should be let alone, why are the government trying to improve their relations with the West Indies and Guiana? It just shows that we were not well enough. I have no doubt this government will try to improve relations with South Africa, New Zealand, and other places. Having, as I think in the most foolish way, declared they would not improve trade relations with a hundred of millions of people at their doors, the hon. leader of the government tries now to minimize the unpleasant things said of the United States during the campaign; but every one knows the kind of things that was said, and I think the extracts from the United States newspaper read by the right hon. leader of the opposition did not state the case too strongly. Our hon. friends opposite have begun to see new light since the 21st of September. They used means to win success of which they are a little bit ashamed now, and in order to establish that I take the liberty—I know it is slightly irregular—of quoting from the Montreal 'Gazette', of the 14th of this month a report of some of the observations made by the hon. gentleman who is now Minister of Trade and Commerce, the Hon. Geo. E. Foster. Every one knows that the Montreal 'Gazette', is a respectable Conservative paper, and Hon. Geo. E. Foster, I think, may be regarded as speaking the sentiments of the government at the present time. At a dinner which took place in New York on the 13th of November, the hon. gentleman said:

"Canada has always wanted to trade with the United States."

Now that is not what was said during the election. The expression I heard myself was 'We do not want any truck with the United States,' but Mr. Foster says now:

Canada has always wanted to trade with the United States, and under one treaty she did so, but America abrogated that treaty. It is just a question of how trade is to be carried out. . . . We did not reject reciprocity because we did not want to trade with you. We have for the United States two distinct feelings, admiration for your great progress and anxiety to avoid your mistakes. There was no animosity in our rejection of the agreement.

I may say that is not the impression one would get from the speakers and newspapers during the campaign. Mr. Foster continued 'We did it because we did not like that kind of an agreement.' I may say the agreement which the hon. gentleman did not like and which he said Canadians did not like was almost identical with the agreement made in 1854, and he said: 'We want the United States to remain our friend and some day we will reach a solution of all questions between us.' It occurs to me that it is within the bounds of possibility that within a comparatively short time from now, we may have our hon. friends opposite really making an arrangement with the United States almost identical with the treaty of 1854 and with the agreement which was rejected the other day. I can readily understand some American gentlemen who listened to Mr. Foster in New York on the 13th, addressing him in these words, 'It is all very well to dissemble your love, but why did you kick me down stairs?' If Mr. Foster and his friends are so friendly to the United States, why was the offer of the United States rejected in such a contemptuous manner?

There are two other points to which I wish to refer very briefly. One, the government propose to assume and control the terminal elevators at the Great Lakes. I was under the impression that the Conservative party as a party were hostile to the government interfering in what is properly speaking private business. I must express my surprise to find in their very first session and when, as the leader of the government says, they have

not had time to formulate a policy, they should come down with this proposition to take over and make a government business of what has heretofore been a private business.

Then there is the paragraph with respect to a permanent tariff commission. That reads uncommonly well, and the remarks made by the hon. leader of the government sounded very well. The hon. gentleman said the proposal was to take the tariff out of politics. When one comes to think how this is to be done, and what the practical operation of the scheme must be, every one knows, and I think the hon. gentleman himself on more than one occasion referred to the fact, that when a government wish to get rid of a disagreeable responsibility they appoint a commission to do the work they should do themselves. Everything depends on the personnel of the commission. From what I know of Canadian politicians, more particularly of the Conservative stripe, I think the tariff commission will be constituted of gentlemen who will be sure to report in one way, and that is the way in which the government feel, and their way of reporting will to a very considerable extent relieve the government of responsibility for the action they have made up their minds to take.

Another paragraph is as to the best route for the Hudson Bay railway. As one humble member of this House, I rejoice that the terminus has not yet been located. In the interest of this country it would be just as well that the terminus should not be located for a considerable time yet, and I trust that the engineers who are at work up there will find employment for some time to come in locating the best port. I noticed recently that a ship that had been sent up to Hudson bay leaving Halifax some time in July failed to get through into Hudson bay at all owing to the ice in Hudson strait and came back to Halifax in sore distress a few days ago.

Hon. Sir MACKENZIE BOWELL—Was she a steamer?

Hon. Mr. POWER—She was a sailing ship. The feasibility of the navigation of Hudson straits will bear further investigation.

Hon. Mr. ROCHE—The speech from the throne can be best compared to an artist's breakfast—very little meat and a great deal of tablecloth. Of course a full programme could not be expected from the circumstances which precided the delivery of the speech, but we must 'take the goods that the gods provide us' and be content with a meagre bill of fare, even if the ambrosia and nectar are very thinly constituted. I was glad to hear the voice of my hon. friend from Pictou on this occasion, from his knowledge of political events, circumstances and questions, and I was rejoiced to hear also the voice of my hon. friend the seconder; because his presence in this Chamber seems to warrant to us that the government take no part and are not supporters of that measure which is depending in the other House for the peremptory and prompt abolition of the Senate. Whether these gentlemen have given pledges to the government that they enter this Chamber for the purpose of putting an end to the Senate or not I do not know; but from their characteristics and past record I may be assured that having passed through the turmoil of political strife and having passed through the lower chamber they can see in the dignity and repose in this one a harbour of refuge and a place for permanent repose.

In the remarks of the hon. mover of the address we must concur so far as they refer to the new Governor General. A high honour has been conferred on Canada by appointing one so near the throne and with such political and military capacity. From his long experience in the combats of England and various parts of the world he is well qualified to lead our army and give his most valuable advice in military affairs, if that advice or action be required in the exigencies of our affairs. I do not think that my hon. friend intended to pass a slight upon the military qualifications of the gentleman who has been selected and placed at the head of the Militia Department, for he too has political and military knowledge and experience, for he too has taken part in the wars of England, but in the projected wars and military expedients

and devices they are intended to be carried on in elements with which the Duke of Connaught is entirely unfamiliar, and he proposes to enlist regiments of Hindoos and conduct his operations not only upon the sea and land, but also in the air. Now, we would not at all entrust our Governor General with the conduct of any operations like these, and I think it was far from the intention of my hon. friend the proposer to overlook the capacity of the head of the Militia Department to conduct operations in any element.

I was very glad to hear the voice of my hon. friend from Nova Scotia, because I think that he would have reprobated some of the sentiments I heard from the mover of the address in the other branch of parliament. I think also that the address of that gentleman was not inspired by the government, because in forecasting the legislation which would be proposed, which legislation has been hinted at by the hon. leader of the government, that this is the mode to be pursued, and this is to be the policy of the government:—

> With a buoyant and increasing revenue and with an expanding trade we do not want any expenditure for lighthouses or breakwaters or wharfs, unless perhaps some like those of recent years built by the gentlemen opposite where there was no water, but we will be content, and will rejoice to find the new government implementing the promises they made whilst in opposition by being prepared to assist and co-operate with the provincial authorities in giving us a system of highways which will enable the husbandmen to convey the products of the farm to the elevators and railways.

How must language like that have grated upon the ears of the leader of the government who came from a maritime constituency in Nova Scotia, from the county of Halifax, with 120 miles of sea coast indented every ten miles with harbours that require lighthouses, wharfs and breakwaters every year, and especially when the canvassers on behalf of the leader of the government declared that his little finger would be larger than his predecessor's loins, and that as those people had been starved and neglected by the late government, when the learned leader of the then opposition should be returned, they might look to the gratification of their wants and a lavish expenditure on these objects when before they were neglected and cast aside by the government then in power. How do these two statements compare and correspond with one another?

I was very glad to hear also that the government were proposing to aid the provincial governments in the construction of good roads. My hon. friend from Pictou will remember that at one period the provincial government of Nova Scotia undertook to improve the public roads of that province, and as they did not receive a subsidy for that purpose from the general government they undertook to raise a capital amount in order to overtake the delapidations of the road and to give the advantage to the business people of Nova Scotia, and for that policy, which is now commended by him in his honeyed accents, the press and the Conservative party of Nova Scotia berated the premier and the legislature that has taken the precaution to prevent the common roads of the province of Nova Scotia becoming impassable. But what is this—is it a British policy? Is it a Canadian policy? Does it not follow the lines of the old policy of the United States that built the great Cumberland road from tide water towards the Ohio river and expended upon it $7,000,000? But all that was before the era of railways; all that is a distant bygone operation. It is not commensurate with the present day—it is not the dictate of the policy of the present day. I do not say that at this moment, nor am I competent to form a decision that certainly where we always look for British precedents —and my hon. friend the seconder is looking at me benignly always having followed British precedent—why should we at the outset of this brand new government take up the discredited policy of another government fifty years ago and make it the policy of this country?

I am gratified to see my hon. friend the leader of the opposition in his place, because he will be able now to expound the theories and axioms of the government and also declarations of policy which he could not make from the other side, and he will be also able to determine the meaning of certain phrases which are rolled out from the press, repeated in the Legislature and reverberated from the platform about

imperial unity, imperial policy and imperial movement, and he will be able to tell us exactly what they mean. If this imperialism and this imperial policy mean that the resources of the colonies are to be gathered up to be expended for the benefit solely of England or the British Islands, I will not agree with that narrow interpretation; but if my hon. friend and all who follow him and are associated with him mean mutual co-operation, that is the colonies and dependencies contributing to a general fund or to general exertion for the benefit of the whole, for the benefit of the motherland, and the benefit of the colonies individually, and that all shall take part in the defence and protection of all, I am an imperialist. If he has that sense of imperialism I agree with him altogether, and without any hesitation or evasion; but if it be the sense which is entertained, I am sorry to say, in England, that every interest should give way and that every dependency should be sacrificed if necessary and that the bond which holds together the empire should be severed and every dependency let go provided the mother country is protected by every source of the empire, I for one do not agree with it. It would be a good act, it would be an informing and I think it would be what is due to this parliament if the leader of the government would expound that theory and disabuse us of false impressions and take away from us that idea that we are to live solely for England and England is not to live for us. The present Governor General rebukes this small notion, and it shows that England is going to take a larger part and return to the protection of the colonies and the protection of Canada which they partially abandoned in 1866 and 1867.

There is one topic on which I am disposed to say a few words, and on the subject from which my hon. friend from Halifax has begun, and that is the effort which will soon be made to extend our trade relations, and I suppose expand our commerce with the West Indies. This is not the first effort that has been made to send delegations to the West Indies. There were delegations sent out by the old Nova Scotia government and I suppose by the government of Canada. There was a formidable deputation sent out to the West Indies to secure better trade relations, headed by a very important gentleman, the head of the Trade and Commerce Department, the Hon. Geo. Foster, who spent a considerable time in the West Indies. With all his knowledge of Canadian finance, and all his intimate acquaintance with Canadian trade and all the optimism looking to the future, he went authorized by his government to go out and made some important communications and acquaintances, and he tabulated some important statistics and came back, and for years afterwards, although his government was in power a considerable time, no progress was made in expanding our trade relations with the West Indies. Then the outgoing government sent a deputation to the West Indies to extend our trade relations. They were practical gentlemen, merchants and others, but notwithstanding all these efforts combined no progress was made in the expansion of the trade with the West Indies, and why? The trade with the West Indies was with the unimportant and little British Islands, and their trade could not be extended, because all the products they receive, and all that they are capable of receiving in the way of food stuffs they are getting at the present time. But what would have been the effect of reciprocity? Our reciprocity arrangement would have brought us in contact with the great markets in the West Indies—with Porto Rico and Cuba, islands of the greatest extent of territory, with large population and the largest resources, whose trade, both import and export, would be a thousand times any trade which can be arranged, negotiated or conducted with the British West Indies, excepting Trinidad and the trade of Trinidad is largely with Great Britain.

Hon. Mr. CLORAN—Will the hon. gentleman tell us what the population of those West India Islands is?

Hon. Mr. ROCHE—I have not prepared myself with figures; neither do I know what the statistics are.

Hon. Mr. CLORAN—I think it is very small.

Hon. Mr. ROCHE—It is regarded by some writers in the press in England and statements have been made by some Conservative parliamentarians and representatives that the reciprocity agreement was disloyal to the interests of the empire, and contrary of the policy of the British government. Now I consider that any policy which is approved of in the mother country cannot be disloyal. What are the facts? Great Britain sends to the United States two hundred and seventy millions worth and receives from the United States five hundred millions worth of their products and the effort of their statesmen, of their commercial men, of their negotiators, and of all those that represent British trade in their diplomacy has been to forward, to increase and to expand in every direction the trade that Great Britain carries on with the United States. How then can my hon. friend, the leader of the government, tell us that the effort that was made by the late government to expand our commercial relations with the United States was disloyal or inimical to Great Britain herself, or could in any way tend to loosen the bond which binds our empire in that great chain of connecting colonies in all parts of the world with the heart and centre, the motherland? Will he show us that? If he will explain that to me, I will be a convert to his views. If he will show me that there is disloyalty in it, I will cast it aside for ever, but I remember when that reciprocity treaty was a great boon to Canada. I remember how Nova Scotia flourished under the reciprocity treaty. I remember how the decay that had been setting in was arrested, and by means of that treaty the trade of Nova Scotia started on a new career, and farmers whose farms had been mortgaged and who were dispairing for the success of their country were enabled to pay off their mortgages, how the navigation interest was stimulated and increased rapidly, and every interest in our country, not to go on enumerating them, flourished and succeeded under the benign influence of the old reciprocity treaty, and can you tell me that our resources have diminished? Can you tell me that our energy has decreased? Can you tell me that the people of the United States are hostile? If they were hostile, all those good results would not accrue, and the experience of the past says to us there was no danger in adopting the reciprocity agreement.

It is not my purpose, and I have had no intention to speak about these matters, or about anything which would create controversy, but when a suggestion was thrown out which touches a very tender sentiment in our hearts, one repels the insinuation that there was any design to fall in with any filibustering with the United States, or any desire that the boundaries of that country should be extended from the Gulf of Mexico to the Arctic circle. We had no participation in any such propaganda, but would stand upon our line and use the resources of our country in exchange for those we require from another country when we see it is to our advantage, with our loyalty untouched, and our loyalty to the mother country unimpaired and undiminished by anything of commercial quality or anything of political advantage or disadvantage.

Hon. Mr. DAVID—I rise to make a few remarks upon the observations made by the hon. leader of the government. I was surprised to hear him, who is generally so serious, attach so much importance to the annexation cry, and I am surprised that he was under the impression that annexation would be the result of reciprocity, and because a few public men of the United States, Champ Clarke particularly, expressed views which might mean that reciprocity would bring about annexation. We might refer to articles published in western newspapers, and we might quote speeches made by men of the United States denying these things. We could quote statements of prominent men who said they had no desire for annexation, and I am surprised that our Conservative friends have been so easily frightened by this annexation cry. I thought that the bugbear of annexation had served its time, and that no serious man would attempt to use it in argument any more. But I see it still continues to make an impression upon a certain number of our people. Our Conservative friends were not so easily fright-

ened by annexation, when in 1854 they ratified a reciprocity treaty which did so much for the country in the years from 1854 to 1864, and it is now established by history that when Lord Elgin went to Washington to negotiate the reciprocity treaty, one of the reasons which he gave for such a treaty, which reason was embodied in a letter which he sent to the government of England, was that it would stop the annexation movement which was on foot in Canada at the time. It was very well known that in 1849 and up to 1854 there was a strong movement in favour of annexation, because of the financial condition of the country, and because the people at the time thought that the best remedy was to have annexation, and it was in order to discourage that idea and to put an end to that movement that the reciprocity treaty was negotiated. Since the repeal of the treaty of 1854, at what time has the Conservative party been influenced by the fear of annexation? When they went to Washington on two or three different occasions to negotiate a treaty of reciprocity of the same kind as the last one which was negotiated by the late government—reciprocity in natural products—were they frightened by the fear of annexation? No. Evidently that annexation cry does not do credit to those who use it, any more than the cry of disloyalty in the province of Quebec does honour to those who have urged that cry there. I have several English newspapers in which the question has been discussed, and everywhere it has been asserted strongly that it was ridiculous to think that reciprocity would lead to annexation, and some newspapers even declared that evidently the Canadians sacrificed their personal interests in order to please England, or because they were moved by loyal sentiments. I would say that the contrary is true, and that if we are to be annexed it will not be because we have a reciprocity treaty. Such a treaty will never bring annexation. A time may come when Canadians may believe that it is in conflict with their loyalty and it is dangerous to refuse to deal with our neighbours, and that our interests are to have trade relations with the United States. Time will tell what the result will be, and before long perhaps it will be seen that the best interests of the country will be preserved by having a reciprocity treaty.

Hon. Mr. POIRIER moved the adjournmnet of the debate.

The motion was agreed to.

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

THE SENATE.

WEDNESDAY, November 22, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILL INTRODUCED.

Bill (C) An to amend the Senate and House of Commons Act.—Hon. Mr. Domville.

THE ADDRESS.

DEBATE CONCLUDED.

The order of the day being called:

Further consideration of His Royal Highness the Governor General's speech on the occasion of the opening of the first session of the twelfth parliament, and of the motion of the Hon. Mr. Bell, seconded by the Hon. Mr. Taylor, that an humble address be presented to His Royal Highness the Governor General in answer thereto.

Hon. Mr. POIRIER—The tone of yesterday's debate augurs well. Every one in this Chamber seems to be satisfied, especially hon. gentlemen on the other side of the House. We also, on this side of the House, are satisfied. We believe that we have done well for our country in following the policy of our leader and of our party. Having reached 'the parting of the ways' we took the right hand side—in fact the right side, and moved the chariot of state along a course which, starting from Canada, will reach England and then encircle the world to come back to Canada again, as against taking a course which would have landed us amongst our good friends to the south of us where the reception might have been so friendly, so warm indeed that we might have been suffocated in their embrace. We believe in commercial imperialism which will more closely

unite the mother country and the colonies and which will make a band, or a preferential zollverein which will encircle the world within the empire. If we are to be imperialistic, that is in my estimation a form of imperialism that we should cultivate.

The members on the other side of the House have been pronounced in their remarks on the phenomenal prosperity which the country enjoys. I for one do not contest the statement that these are days of prosperity. I do not for a moment deny that our revenues have swollen in an extraordinary degree; but being accustomed to accepting no statement unchallenged when it was possible for me to investigate the facts and get to the bottom of those questions, especially in matters historical, I spent last evening in reviewing from my own point of view the financial situation of the country, and while apologizing to the masters of finance, many of whom are members of this House, I will give the result of my personal investigation and my views. Now that cuckoo song of jubilation may be all right in its way, but the country should ascertain whether we occupy an assured position to feel like cuckooing all the way. It is not sufficient to be prosperous to-day; we should see that our prosperity is on such a basis as to be lasting. I find that in matters of commerce, from Confederation up to 1895, the balance of trade, excepting the year 1881, was against us. For the first time in our fiscal history the balance of trade turned in our favour in 1895. A year later the Liberal party came into power. If we compare the state of the country from a commercial standpoint in 1896, when the Conservatives handed over the government to the Liberals, with the state of the country in 1911, when the Liberals handed it over to the Conservatives, we will find that while the balance of trade, owing to the National Policy, was in our favour and continued so for several years, it is to-day enormously on the wrong side.

The Liberals hand us the reins of power after we have made a plunge from $98,000,000 of deficit in the balance of trade in 1910, to $180,000,000 in 1911. This last year we were $180,000,000 to the bad as far as trade balances go. We had surpluses in 1896, when the Liberals came into power, and also in 1897 and 1898 and 1900, and in 1901, but since then the balances have gone the other way. In 1902 the balance of trade was against us, and it has continued so ever since. We did not have a surplus in any one year since 1902 in our favour, as between our imports and exports. The balance on the wrong side in 1903 was $15,000,000; in 1904, $45,000,000; in 1905, $63,000,000; in 1906, $37,000,000; in 1907, $54,000,000; in 1908, $90,0000,000; in 1909, $49,000,000; in 1910, $90,000,000, and last year $180,550,000. Prima facie that is an alarming state of affairs. For the last five years, without going into too many figures, the exports amounted to $2,432,841,510 and the imports amounted to over three billions, leaving a balance for us to pay of $627,479,453. Now here is the legacy the late government has left us. For the last five years we were over half a million to the bad.

Hon. Mr. GIBSON—If everything was so badly against us, where did we get our surplus?

Hon. Mr. POIRIER—We got it from the banks. We have the finest system of banking in the world. At confederation the total capital in the banks was thirty millions. When the Liberals came into power in 1896 the paid up capital, I believe, was sixty-two millions. Last year it was ninety-six millions, but this year, owing to the establishment of the new bank National du Canada, I think it is one hundred and four millions. The circulation of the banks last year was ninety seven million. Surely the banks on their own capital, from their own resources, could not meet the exigencies of an adverse balance of trade. Where did we get the money to pay for those goods? Because as hon. gentlemen well know that half billion deficit of five years has to be paid. It is so much money from Canada that goes to foreign countries. There is no denying that fact. We get the money from the deposits in the banks, and it is very remarkable that the deposits in the bank are coincidental with the increase of the discounts. The deposits in the banks save the situation. Take the last five years: we find the capital in our banks in 1907 was $96,000,000,

and the circulation $75,000,000. That year the balance of the trade was $54,000,000, against us. The deposits in the banks had increased in that year by $49,000,000, while the increase in bank discounts was $54,000,000, exactly the adverse balance That bespeaks good times. In 1910 the adverse balance was $90,000,000. How was that met? By an increase in the deposits in banks of $127,000,000. In 1911, last year, the adverse balance was $180,000,000. How are we going to meet that deficit? I do not know. The bank accounts are not in yet; but last September they had already discounted loans towards the payment of that to the amount of $81,000,000 out of $96,000,000 of deposit. So far so well. I am not here to say that the outlook is blue, or that we are on the eve of bankruptcy, So far, the deposits in the banks have equalized the amount that the banks had to lend to the commercial community to enable them to meet the obligations they have incurred. Here is the danger—and I call the attention of both sides to this point: While we are living in prosperous times our situation is somewhat like that of mutual societies before they had been put upon a better basis. In reference to these societies, unless there was an increase of membership each year they were doomed to fail. Likewise the moment the deposits in our banks decrease there will be stagnation in our commercial world. That is absolutely certain to my mind. We have to continue increasing our deposit. Supposing we had one or two seasons of bad crops, what would become of the status of our banks? It is hoped that kind Providence will favour us as well as it has favoured our friends the liberals; but if we should have two consecutive bad crops there would be a shake up of the finances of the Dominion the like of which has possibly never been witnessed in the United States republic to the south. To give an instance, hon. gentlemen remember the unfortunate times when that good man, the late Alexander Mackenzie, came into power. There was great depression at the time. The new government were met with bad times and we remember the result. I have quoted these figures to show what the effect on our affairs will necessarily be when the deposits decrease in balance. In 1874 the deposits in the banks were $77,000,000; but in 1875 they had decreased by two millions. What was the consequence? Failures to the tune of $29,000,000 in the country. In 1876 another decrease in the banks took place to the extent of $2,000,000, with failures to the extent of $26,000,000. In 1877 we had an increase of $1,000,000 in the deposits. From $73,000,000 it had gone up to $74,000,000, but still we were on the downward slide, and failures aggregated $26,000,000. In 1878 the people withdrew their money from the banks through panic or necessity, with the result that from $74,000,000 of deposits, the amount went down to $71,000,000. There were $24,000,000 of bankruptcies in the Dominion of Canada. There would have been more but at that time more than half our tradesmen had failed. Here in Ottawa, where I lived at that time, not one merchant on Sussex street stood the strain. There was only one merchant on St. Catherine street in Montreal who did not go under. That shows the effects of diminishing deposits in the bank. Answering my hon. friend again I say that while the country is apparently prosperous, it is prosperious because trade and commerce live on the banks.

Our merchants carry on their business by discounting accommodation paper at the banks. If, to-day, or in the near future, our merchants were called upon to meet their obligations abroad they would not be in a position to realize enough money for the purpose, although they have, no doubt, the assets. Now here is what I wanted to call the attention of our hon. friends to—not to go on singing cuckoo songs as the right hon. leader of the opposition has said we might, but to look at the situation carefully and see when the Bank Act comes before us that this question is not lost sight of, and that we check to a certain extent the abnormal the frenzied importations made by our people in these times of prosperity, and settle if possible the balance sheet between revenue and expenditure. It is a remarkable fact that while we boast of being the most prosperous country in the commercial world, we are the only people in America who show such a balance sheet.

The United States had last year, and for many years before, a balance of half a billion dollars in their favour. South American countries—Venezuela, Brazil, Argentina—all those countries young as we are, have, as a young country should have, a balance on the right side. I know that economists claim it is not a sign of going behind simply because the balance of trade is adverse. No doubt that applies to old countries such as England, France and the Netherlands, where there is an income from money loaned abroad ; but such is not the case and should not be the case in a new country where we have all the elements of prosperity in our raw material and now in manufacturing. But the trouble with us is that our manufacturing industries are not keeping pace with our mania for buying more than we should and more than we can afford to pay for.

A clause in the speech mentions the platform of the government on highways and agriculture. Agriculture has been too long neglected in this country. It has been shown clearly that the salvation of a country like our own lies mainly in agriculture. When the farmers and the classes that produce our raw material and staples cease to be prosperous the country also ceases to be prosperous. Investing money in highways has been proved by foreign countries to be the best possible way of expending money. In France they spend annually hundreds and hundreds of millions upon their highways, and it is computed that they get at least 25 per cent of revenue out of those investments. We have been subsidizing railways to the tune of $150,000,000, without counting what is to come and without including grants of land ; we have subsidized the canals and navigation to the amount of nearly a hundred million dollars. Now what have we done for agriculture ? Last year we appropriated a paltry sum of less than a million dollars towards what is the foundation of the prosperity of all nations, but especially of Canada. I feel like complimenting the government on this policy, as I am sure they will carry out their pledges. No government can make a mistake by helping the agricultural class. By the construction of good roads we assist them materially. The construction of a national highway from Halifax to the Pacific coast is a project which is grand in its conception, and which will in the long and possibly the short run, pay, and pay well. The project of helping to establish agricultural schools for the farmers is one that is most commendable. The only experimental farm in Canada that we have is that established by our regretted colleague, Sir John Carling, and I give Mr. Fisher the credit of having taken up that farm institution and improved it. But that is not sufficient. We should have in every province of the Dominion model farms with a sufficient number of instructors and move along the lines that have made Denmark the prosperous nation that we know it to be. Neither this nor any other government is likely to expend too much money towards encouraging agriculture and enlightening the farmers.

The following paragraph in the speech has more particularly attracted my attention. 'Bills will be laid before you with respect to the Department of External Affairs, the Archives and other subjects.' If agriculture has been neglected much more than it should have been, there is one department which has been more than all others overlooked. It is, if I may use the term, the intellectual department. We have subsidized everything under the sun except possibly agriculture ; but so far neither government has, so to speak, done anything towards helping the advance in scientific and intellectual affairs. To Mr. Fisher and the Liberal government is due —and I rejoice that I can give them credit for it—the formation of or the putting on an effective basis the Department of Archives. To-day that department does honour to Canada. It was timely that it should be removed from the Department of Agriculture to another department; but that is not going far enough. In my estimation, the government should aid research especially applied to the sciences, history, literature and the arts. We are, I believe, the only country in the world which does practically nothing to encourage intellectual enlightenment. All other national governments, even provincial, do something. Not later than this morning we read that

a certain Dr. Smith is to get from Italy a sum of $20,000 as a prize for having found a cure for cancer. The government of Norway is giving this year to Madame Curie $40,000 in prizes for her discoveries in chemistry. Everywhere in the world something is being done towards helping the advance of science, except in Canada. We have in the Dominion the Royal Society and to that society we give $5,000 a year. It was founded by the Marquis of Lorne when royalty was represented here by the Princess Louise. With that $5,000 the society has to print its report. If there is an excess of money it has to be reimbursed to the department. If, on the other hand, there is not money enough to pay for the book and the printing of it, the members of the society have to make up the difference. That appropriation is not a gift to them. They are obliged to exchange their reports with scientific societies all the world over, by means of which the government gets reimbursed and more for its outlay. I appeal to my leader, who will have leisure to attend to the matter if he chooses to do so, as he is not encumbered, burdened or cursed by a department, being as free as a minister of the Crown can well be—I appeal to him to take this matter up and see that the Royal Society, which is composed of some of the very best men in the land, is properly aided. The society is divided into four departments—mathematics, science, English literature and French literature. I appeal to him to see that that society is put on such a footing that it may be of real service to the country. So far, with the best of will, with sacrifices on the part of individual members, very little has been achieved except the publication of a report which very few read, and why is that? The members of the society are chosen from all parts of Canada, from Halifax to British Columbia. They meet at Ottawa, as a rule. Now is it fair that those gentlemen who give their time, their intelligence, their enlightenment, and their lives to those sciences to which we owe our boasted civilization, should have to pay their way to attend the meetings of the society? Unless they do so they must stay at home, which many of them do.

What I propose is that a sum be placed in the estimates to cover the expenses of members of the Royal Society to come to Ottawa or wherever the meetings take place, and return to their homes. The outlay would not be excessive, and it would enable those men who are willing to attend the meetings of the Royal Society to come in contact with each other and give us the benefit of their knowledge and research which would be a thousand times more valuable to the country than the paltry sum I ask the government to appropriate for the purpose I have mentioned. More than that, to-day there are many young men, English and French, who are capable and willing to write on matters of history for which we have abundant material untouched, or on matters of scientific importance, who cannot do so because they lack the necessary means. Why should not the government who have such a superabundance give enough money to the Royal Society to enable the society to accept manuscript and have them published in becoming shape and circulated throughout the Dominion. If a couple of thousand dollars were allotted to each of the four departments, then you would see surging from all parts of the Dominion intellectual young men who would undertake research work and achieve something in the way of belle lettres or scientific pursuits, because they would know that what is now impossible would be possible then—there would be a tribunal to judge their efforts and if found worthy their work would be crowned and printed and distributed. In that way we would encourage what is worthy of encouragement and is to-day without any aid whatever. Before dropping the subject, I would call the attention of the hon. minister to this fact, that in matters scientific and intellectual just as in matters more material, if you want a good employee you must pay him well. It is said that the secret of the phenomenal prosperity of the Standard Oil Company was in paying their employees well. Now there is a class of employees in the public service that is underpaid, and it is exactly that class whose achievements are in the intellectual or scientific line. I was amazed to find the other day that the

man who drafted the elaborate plans for the Georgian Bay canal was paid less than $3,000 a year, and that the chief engineer of the Public Works Department fared no better. We all know and regret that our Geological Museum is losing every year some of its most effective men because they are underpaid—splendid men, intellectual, scientific, willing, hardworking men, who are doing as good work as is done on the other side of the border, who receive only $1,400 or possibly a little more per annum. Some of the best men have gone and others only remain from patriotic motives. They remain here on starvation salaries when they have only to cross the border and get five to seven thousand a year, or if they choose to go west they can get as much from mining concerns in our own country. The same thing applies to the Archives Department also. Surely the two men we have at the head of the Archives are doing more than manual work, and yet they are paid little if anything more than they would get for manual service. Those two men, Dr. Doughty and Dr. Roy, are to-day, in my estimation, probably the two best informed, the two best authorities on matters historical. They are underpaid. Why not put them on the same footing as our two librarians? It would be only fair to encourage them. They are specialists and do far more than their allotted work. They are enthusiastic and devoted to the service. When information is wanted on matters historical it is to them we must appeal. Are we to let them go as possibly they may? I have no brief for them or for any one else. We should pay men who render intellectual service, I do not hesitate to say, better than we pay men who render services of an inferior order. These are reflections that I leave to my hon. leader, and also to my colleagues here, because we in the Senate I think should assist in legislating for institutions that tend to make Canada a better country not only materially—that part of it is looked after by members of the other House—but also intellectually, and see that the splendid talents we have in our country, not only for commerce and business, but also for the sciences, literature and arts are properly encouraged. I appeal to my hon. colleagues to take up with me that question and encourage the government which has a plethora of money, that it does not know how to get rid of, in encouraging native talent. If we are to have cuckoo songs of jubilation let that class I have referred to have reason to join in the singing.

Hon. Mr. CLORAN.—One or two of the statements made to this House by the hon. leader of the government should not pass unnoticed. He said on behalf of the government that the reason there was no mention of the naval policy in the speech from the Throne was that the new government had had no time to elaborate a policy. I, with many others, take exception to that statement and respectfully tell him that he could not have been serious in making it. They needed no time to elaborate a naval policy. They had one last year cut and dried, and took several months to place it before parliament. It was afterwards sanctioned by the people. It was a policy more pronounced in favour of England than that of the Liberal party. That policy was quite sufficient to place before parliament now. What is the reason that the great Conservative, loyal, imperialist party did not mention the subject in the speech from the Throne? The reason is not one of incapacity or want of time. The hon. leader of the House knows, since he has been in ministerial circles, that the great Conservative party have had to swallow that policy at the command of the Nationalists of Quebec. I say so advisedly; I say so knowingly. In the government are men who are opposed to a naval policy of any discription, and not longer ago than two or three weeks one of the ministers, after his election, declared that he was opposed to any naval programme that might be adopted by parliament before it was submitted to the people. So that the reason given by the hon. leader of the House for the absence of any mention of the naval policy in the speech was not correct or sincere. The Nationalists of Quebec with the block from Ontario which is commonly described as the Orange Tory block have combined, not in the interests of the country or empire, but in the interests of themselves personally, and of

their parties. It is useless to attempt to blindfold the people or to play the game in parliament that was played in the country during the late campaign. The Conservative party, with the aid of the Nationalists, succeeded in deceiving the people, especially of Ontario, and I regret to say of some 15 or 20 counties in the province of Quebec. The Nationalists element in Quebec were in deadly opposition to the naval policy of both parties and they were in favour of reciprocity. Not one of them would have been elected in any of the counties of Quebec, if the issues of reciprocity had been put fairly before them.

They were elected in Quebec because they were opposed to the naval policy and the expenditure of Canadian money for foreign purposes. That is the reason of their victory in fifteen or twenty counties in Quebec. It was different in Ontario. In this province I believe there is a large sentiment in favour of a naval policy but it was not the question of naval policy that decided the election in Ontario. It was not even the question of reciprocity that turned the vote in that province. It is just as well to state frankly and bluntly the cause of the turnover in that bright, intellectual and progressive province of Ontario. The defeat is attributed, can be attributed, and I know is due to religious feelings. The speeches of the Minister of Militia, of Dr. Sproule, now Speaker of the Commons, and others, inflamed the public mind of Ontario in regard to the eucharistic congress and the Ne Temere decree in reference to the marriage law. These were the dominating influence in the judgment rendered by the province of Ontario, and there was another influence. There has been in the corridors, on the street corners, in parlours and elsewhere the cry of 'It is time to get rid of French domination. Now is our chance.' These are the three causes of the turnover in Ontario, by which the Liberals lost over thirty seats. I believe to-day that most of them are heartily ashamed of the judgment they rendered on the 21st September, and the cry 'We will get rid of French domination———'

An hon. MEMBER—The religious cry had nothing to do with it in Ontario.

Hon. Mr. CLORAN—It had a lot to do with it. The people would not stand for French domination and peace and good will under the Laurier administration; but they will stand for French domination under the Nationalist bunch. There is the difference. It shows that the Conservative party in their declaration of loyalty and imperialism, and in their declarations against friendly relations with the United States were not sincere. The Conservative party was not sincere in making these declarations, because the day after the victory they locked arms with the enemy of these same people, and the country is beginning to see and understand it, and the ministerial explanations of their attitude on this question, and of their manner of treating and administering the affairs of the country will not be accepted, and I have no hesitation in saying that if there was an opportunity in the immediate future to demand a fresh verdict from the people, the decision that they gave on the 21st of September would be reversed. That is the true state of the political situation. There is no use in trying to blind oneself to it, and there is no use in trying to hoodwink the people and make them believe otherwise. The sooner we get down to a basis of common sense, of common interest, without appeals to race and religious prejudice, the better for Canada, the better for its people. Under the Liberal government this country had achieved a position remarkable in its annals. When the Liberal party took hold of the reins of power in 1896 it found the country divided along racial and religious lines, but by the influence of goodwill and conciliation, manifested by our honoured leader at the time, he brought the people to a standstill on their highway of division and dissension. He made them understand by his conciliatory methods, his offer of peace, that Canada could get along better by the people of the different races and different creeds living in harmony and in union, and what was the result? Up to the 21st September we had a peaceful country; we had a united country; but in one short campaign of six weeks the Tory party were enabled to demolish that great national work of Sir Wilfrid. They tore the pro-

vinces one from the other. They tore one race from the other and one creed from the other. Ontario was filled with religious cries, as were also Quebec and New Brunswick. But thank God we have provinces in the west that did not need any such cies to influence their judgment and enable them to give a verdict on the public questions of the day. I believe British Columbia went Conservative on account of its fear of reciprocity and its Tory inclinations. I believe Manitoba voted Conservative because it is Tory, but I do not believe that Ontario voted as it did in a solid Orange Tory block on commercial or material grounds. I do not believe the 27 Nationalists were elected on commercial or material grounds. They were elected on appeals against our honoured leader that he was untrue to the French people, that he sacrificed their interests, that he wanted to send their sons to battle on the sea and on land, in the interests of a foreign cause. That was the appeal made in the province of Quebec to take away from the Liberal party some 15 to 18 seats. So that the Conservative party stand today with their new record of destroying the noble and useful work accomplished by Right Hon. Sir Wilfrid Laurier. That is a phase of the political situation that cannot be denied, and that is accepted by the people of the Dominion of Canada, and it is a phase which appeals to men and makes these Liberals of Ontario ashamed of themselves to have voted as they did, and to have given 30 good Liberal seats to the Conservative party. Is it not a sight —I will not say for admiration—I cannot admire it—but for amazement, to see the Nationalist band from Quebec hand in hand with their enemies in the present government? If there was one man more than another responsible for this state of things in the Dominion of Canada it was Colonel Sam Hughes, now Minister of Militia. He denounced in every possible manner and in every possible tone the religious celebration that was held in Montreal the year before. He has denounced the French. He has denounced the sisters, the nuns, and we find Messrs. Monk, Pelletier, Nantel, and the entire Nationalist gang arm in arm with him, swallowing not only the condemnation which he passed upon them, but swallowing himself. We find them condoning the government by placing in the speaker's chair a man who did all in his power in the Orange lodges to raise up racial and religious prejudices in this country. Was that conduct sincere on their part? Is it to be commended? Would it be tolerated in England or in any civilized community? No, and I hold that the government of to-day does not fairly represent public opinion in this country, for if it were known in Quebec that this was to happen you would have no 27 Conservatives, or so-called Conservatives in that province, and you would not have 74 or 75 Conservatives from Ontario. The Grits would never have abandoned their party if they knew this state of things was going to happen. They would not have voted Tory if they knew the Tories were to be held down and strangled by the Nationalists. So that the government does not fairly or truthfully represent the opinion of this country. Under these circumstances, I fail to see how the Conservative government can count on an agreement between themselves and the Nationalists. The Nationalists were in favour of reciprocity. The Conservatives opposed it, and now we find in the speech from the Throne an allusion to trade expansion to the West Indies and Guiana. If an expansion of trade with these countries is good, why would an expansion of trade with the United States not be good also? If an expansion of trade with a few thousand niggers and a few white people down in the West Indies is to be made a plank in the platform of the Conservative party, why oppose trade expansion with the United States? The Conservative party in the development of their policy are not sincere and frank with the people of this country. As to the annexation bogey raised by the hon. leader of the government, I am quite in accord with the view expressed by the hon. gentleman from Mille Iles (Hon. Mr. David) yesterday. The annexation cry was used in Ontario and Quebec, and there was absolutely no foundation for it. The hon. leader of the government gave us the basis on which to make the charge

that Mr. Champ Clark introduced a resolution in Congress to pass a Bill in favour of annexation. When the question was put, how many voted for it? The Bill was thrown out. There was not a single vote in its favour. That is another way in which they blindfolded the people, and made them believe there was a danger which did not exist, and which was only used as an election cry. If the speech delivered by Mr. Foster in New York on the 13th of November had been made in Toronto during the campaign, would the Minister of Finance have been elected? He practically declared in favour of the most friendly relations on all grounds, especially commercial grounds, between Canada and the United States. Why did he not make that statement in Toronto? Why did his leader, the chief of the party allow the press to denounce the policy of the Liberals because it would lead to annexation? The record of the Tory party in this regard is one that should not be encouraged in the public life of this country. Insincerity and hypocrisy should never be national characteristics, especially of a great party like the Conservatives. Those are the chief means by which they attain victory sometimes, but I hope this victory will not be lasting. It would not be to the credit or advantage of Canada that it should be. I feel the day is coming when the frankness and sincerity of a man like the Hon. Sir Wilfrid will be heeded and accepted and will be the guiding power of the Canadian people along its march of development and progress. There is an old saying that everything is fair in love and war, but these foul means should not be encouraged in the public life of this country.

I desire to close my remarks by paying my respects to the hon. Speaker and congratulate him on his appointment. My only regret is that his leader did not think fit to take him into the cabinet. I am of the opinion, with many others, that he would have made a more economical and just as able an administrator as the present Minister of Militia, and I think that where the present incumbent of the office will spend a hundred dollars on frills, brass buttons and gold braid, that our Speaker, if discharging the duties of Minister of Militia—which was his due—would spend less than fifty dollars. With regard to the hon. leader of this House I also have the one regret, that he did not receive what he deserved, first because of his own personal merits, and secondly on account of the dignity of this House. I agree with the right hon. leader of the opposition in saying that he could fill many of the departments with ability equal to that of those who hold them. He was deserving of ministerial recognition by a portfolio, as was our Speaker. I think this House should have an active ministry.

Hon. Mr. DERBYSHIRE.—Hear, hear.

Hon. Mr. CLORAN—We should have a really responsible minister in this House. I hope the hon. member will not take it in bad part, but I regret it for this hon. House and also for himself.

Hon. Mr. ROSS (Halifax).—Before this subject is exhausted, I desire to say a few words about the personnel of the government. Sir Wilfrid Laurier, from the time he formed his government till he retired with honour had three Presbyterian ministers in his cabinet. The present Premier has no Scotchman nor has he any one of Scotch descent, as far as I know, and I am well aware that doctors of divinity worked hard for the present Premier in Nova Scotia, but the Presbyterians have been altogether ignored. In the opposition we have Scotchmen and scores of people of Scotch descent, both Methodist and Protestants. Though they are now on the opposition side of the House, in the course of time they will eventually occupy other positions. The 'Orange Sentinel' boasted that Orangemen carried the victory in Ontario. I hope there are no Orangemen in this House, if there are I regret it, because I look upon them as a great curse in this country. The rejection of the reciprocity treaty has been most unfortunate for Nova Scotia as well as New Brunswick because it would have benefited the fishermen of those provinces to an extraordinary extent. The proposed treaty was more advantageous to us than the former arrangement, because the Americans had then the right of fishing close to the shores, but under the proposed treaty they were kept outside the

three mile limit the same as they are now. I would have liked very much if the hon. leader of the government in this House had been honoured with a portfolio, because, though able in his present capacity, he scarcely represents the government in any official capacity. I might ask him in passing, are we going to have a navy? Is the Borden government going to give us a navy? I think public sentiment has a right to know what the policy of the government is in this respect.

Hon. Mr. CAMPBELL.—As the circumstances under which we meet are very peculiar, a new parliament, a new government, and opened by a son of our late revered Majesty Queen Victoria, I think it is only right to say a few words on the subject before us. The speech that has been delivered by his Royal Highness does not contain very many matters for discussion. Of course we could not expect that it would be a very voluminous speech, as everybody knows the government has only been a short time in power and could not be expected to bring down any very important legislation. The matters referred to in the speech from the Throne are of considerable interest to the people of this country, and I desire to give expression to my views on some of those important questions. I am very much pleased to see my old friends from Pictou (Hon. Mr. Bell) and from Leeds (Hon. Mr. Taylor) who were colleagues of mine in the House of Commons for many long years before occupying seats in this House, and I was particularly pleased with the remarks delivered by those hon. gentlemen in moving and seconding the address. The hon. gentleman from Pictou (Hon. Mr. Bell) has not been in public life for some years, and has not been in the heat of the political campaign, and we naturally would expect from him a speech such as he has delivered, but I was very agreeably surprised to find that the hon. gentleman from Leeds, who has always taken such an active part in the House of Commons, and who was so full of political matters when he came to this House to second the address, did so in a mild statesmanlike speech, without referring to any subjects of controversy at all. He confined himself particularly, and with a great deal of discretion to the matters contained in the speech from the Throne.

I regret that the hon. leader of this House did not see fit to accept a portfolio and assume a position that I think he should have taken. It would also add to the dignity of the House if we had a full uedge minister in the Chamber.

He is peculiarly fitted to discharge the duties of any department of State, and I am sure it would have been a pleasure to every member of this House and to the people of this country if he had been made Minister of the Interior, a position which we all expected he would assume. I have no doubt he could have had any position he desired in the government, but for reasons best known to himself he has declined to assume any of the arduous duties of administering a department. We hope, however, that as a member without portfolio he will be able to give us full information on all the matters that pertain to the government and discharge the duties as leader of this House in the same satisfactory manner that he did as leader of the Opposition.

The speech from the Throne refers to two or three important matters. One is the appointment of a tariff commission. That is a subject which has been before the public for some years. I was never particularly struck with the idea of a tariff commission. The members of the government are responsible to the people, and this project looks like shifting the responsibility that properly rests with themselves to a commission. I fear that the commission will be so partisan or appointed in such a way as to report according to the wishes of the government of the day, and I fear that the great mass of the people, the working classes and farmers will not have the representation and influence on that Tariff Commission that they should have. I hope the government will stay their hands and consider the matter more carefully before shifting the responsibility that they ought to assume themselves to a commission of outsiders who are not responsible to the people and who at the best can only collect evidence and material, a matter which the

government can easily do themselves. Therefore I do not favour the appointment of a tariff commission.

Another matter referred to is the selection of a route for the Hudson Bay railway, and I noticed that the Premier has stated that the government propose to build and operate that line. For the best interests of the people of this country I hope they will think twice before carrying out such a programme. I was never much in favour of building the Hudson Bay railway, but it is a heritage from the late government who favoured its construction, and the people of the Northwest seem to be unanimously in favour of it. Therefore, I suppose the Hudson Bay railway will have to be built, but I hope the government will never attempt to operate it. It will be another Intercolonial railway, only a thousand times worse. The Intercolonial railway runs through a good country. A large portion of it in Nova Scotia and New Brunswick is well settled. There are many villages, towns and cities which afford traffic for the road ; but on the line of this Hudson Bay railway there is not a settler, and there are no feeders to supply it with traffic. I venture to say if the government operate the road they will have a deficit of many millions every year. It would be much better to let a private company build the road and give them whatever assistance may be necessary ; but if the government build it, then they ought to make terms with some one of the three great railway companies—the Canadian Pacific railway, the Grand Trunk Pacific or the Canadian Northern railway—which have many feeders to secure traffic for that road, and perhaps the company could make the line self-sustaining. But if the Hudson Bay line is to be built and operated by the government it will mean a heavy and steady loss to the country. I am sure the government before finally deciding on the operation of the road will consider well what the consequences will be.

I am very pleased to see in the speech from the Throne a recognition of the great prosperité of this country. Every one must be pleased that Canada is making such progress. If there is anything that the late government can look back to with pride and satisfaction it is the fact that for the fifteen years they guided the destiny of Canada there has been the greatest era of prosperity that has ever fallen to the lot of any country in the world. I do not claim that the credit all belongs to the late government. The rain fell, and the sun shone and the crops were bountiful, and the people were industrious, contented and happy; but I say this, and I think nobody will gainsay it, that the policy enunciated by the late government and carried into execution contributed to a large extent to the prosperity we have been enjoying. Look at the record of the late government from the time they took office in 1896 until they left office in 1911—look at the measures they introduced—the deepening of the canals and harbours, the improvements of transportation facilities between the east and west, the building of the National Transcontinental railway, the granting for the first time in the history of this country of a preference to old England, and other measures introduced by them to promote trade and prosperity of the country. Can you point to a single thing that any former government every did which has contributed so much to the prosperity of this country as the system of cold storage instituted by the late Minister of Agriculture? I remember that before 1896 we could not ship our perishable goods to the old country. They attempted to carry them in cold storage by having ice in the vessels, but the ice melted before the vessels were out of the harbour, and when the goods reached the old country they were unsaleable. The late government took hold of this matter and by improving the system of transportation by railways first and then on the steamboats, and then with their mechanical cold storage warehouses in the old country, they perfected a system of transportation which carried the products of the country safely from the farmers' door to the consumer in England. By this system our producers have been enabled to send their products to all parts of the world in good condition, thus enhancing the value of those goods to the producer, while at the same time reducing the cost to the consumer. I remember well when Mr. Fisher first attempted to bring this

cold storage system into operation. He went to the railways and said, 'We want you to put cold storage on your cars to carry goods to the sea board,' but the railway managers said 'No, it will never pay us to do that.' The government said, 'We will make it pay you. We want you to put it on the freight, and if the freight is not sufficient to cover the cost we, out of the public treasury, will contribute enough to make it pay.' The railways adopted the system. At first we had to contribute a little towards the expenditure, but the next year the service was self-sustaining, and the business has been ever increasing until now the railways are providing cold storage cars on all their main lines to carry perishable products to the seaboard. It was the same with the ocean vessels. At first they refused to put in mechanical cold storage, but the government in the same way induced them to give it a trial, and now every steamer that leaves our ports is provided with the best system of mechanical cold storage to carry perishable goods across the ocean. They know that if they do not provide such accommodation they will not get the freight. This is one act of the government that has contributed wonderfully to expand the prosperity of the country. I do not know of anything else that has done so much to advance our prosperity as the preference that we gave to England in 1897. It was 12½ per cent at first. Then it was increased to 25 per cent, and it has been for some years at 33⅓ per cent. That is the preference that is given to goods manufactured in England when imported into this country. The result has been that our trade with England has increased enormously. In 1895 our imports from England had fallen to about $26,000,000; last year they amounted to something over one hundred million dollars. That has been brought about largely through the preference. Our exports to England have increased immensely as a result of the good feeling that was produced by the preference given by this country. Canada was the first of all the British colonies that without any bargaining gave to the mother land a preference in her markets.

It brought about such a feeling of friendship for Canadians that our products are sold largely in the English markets and the demand for them is increasing. I remember an instance which came under my own observation. As millers we had been sending a great deal of flour to the old country, and it was usually stipulated that it should be branded, 'made in America,' but after the preferential tariff was put in force the cables came across to us, 'brand your flour no longer made in America, but brand it made in Canada.' The feeling towards Canada was so good that they wanted all our bags and barrels branded that wey.. That feeling has contributed greatly to increase our trade with England. Another thing this government did for the first time in the history of Canada: It sent men to South Africa to help the old country in time of need. England was not in such distress that she required our men to fight her battles, but Canada said, we will send a contingent as an object lesson to show that we are ready to help you fight the battles of the empire. That produced a warm feeling in England for Canada and it is to the everlasting credit of the late government that they were the first Canadian government that offered to contribute such aid to the imperial authorities. The imperial spirit has grown of late years to such an extent in this country that a motion was passed two years ago unanimously in the House of Commons to assist in the naval defence of the empire. The motion was made by the present Minister of Trade and Commerce, and it stated that the time had now arrived when this great Dominion with all her wealth and possessions and her great trade interests on the sea coast should contribute something towards the support of the British navy. That motion was followed up by the government wisely, I think, not rushing too extensively into the matter but providing the nucleus of a navy. It has been ridiculed by the opponents of the late government, but it was a start in the right direction. It was felt that as we grew richer we could build larger and better vessels and ultimately have a navy and shipyards of our own which would be of enormous benefit to the people of this country and to the imperial navy. British war ships could use our dry docks to make necessary repairs, and I

think it was wisely decided by the late government not to start on too large a scale but to let the navy increase with time, so that if war should break out we would be able to defend our own sea-coasts, and to that extent relieve the mother country of the burden of our defence. I look upon the present situation with a good deal of alarm. The nations of Europe are armed camps and are recklessly building Dreadnoughts by the dozen. What will be the outcome of all this? If a war should break out—I hope it never will—in what position will Canada be placed? We will be helpless with a thousand miles of sea coast, great cities and immense traffic on the ocean and lakes to be protected. We would have to fall back upon England that is carrying to-day almost as much of a burden as she can bear. So I think the late government did wisely in starting a small navy which would grow as our population, our wealth, and our interests increased. I regret that no mention has been made of this subject in the speech. I hope sincerely that before another session the government will make up their minds to take a stand upon this navy question, and state to parliament what their decision is. I do not propose to find a great deal of fault with them just now, knowing that they have been but a short time in office. Reference is made in another paragraph to the terminal elevators. In my opinion the Bill which was passed by the Senate last year was almost a perfect measure and should have received the support of the present government. I am not much in favour of public ownership. As a rule I do not think that the government have the time or ability to manage these great commercial enterprises as well as they can be managed by private interests, but I strongly favour government control. The Bill of last session gave the government complete control over all those elevators. It placed them in the hands of an independent commission which had absolute control. They could buy them out if they liked or could close them down at a moment's notice if they did not obey the law. Precautions were taken to prevent the mixing of grain, precautions so complete and far-reaching that I believe every interest was well protected and our desire would be attained without the expenditure of very large sums of money required to purchase and control these elevators. There are many things about those elevators that we can regulate, and I think the public elevators at Port Arthur and Fort William need a good deal of regulating. The charges for storing and handling grain are altogether too high. There are some four or five times as high as the charges at Owen Sound, Midland or Victoria Harbour for the same work. Under the Bill of last session, power was given to the commissioners to regulate the traffic to fix the charges after full consideration of the capital invested and the necessary expenses in handling. They had complete control of those elevators, and had that Bill gone through and the elevators been placed in the hands of an independent commission, I believe that the charges for handling grain at Port Arthur and Fort William would have been cut almost in two, to that extent increasing the value of the farmers' grain in the northwest. As I have said, the charges are excessive, but all this could be dealt with effectively without buying out and operating the elevators, and I hope the government will, before coming to a final decision, carefully consider the situation. I would recommend the leader of this House to urge his government to take up the Bill that we passed last session and make it law, then appoint a commission which I am sure would accomplish everything we have in view which government ownership of those elevators would entail.

Nothing has been said of it in the speech from the Throne, but some hon. gentlemen have referred to the result of the elections and to the causes which led to the defeat of the late government. For my own part I was strongly in favour of the measure of reciprocity introduced by the late administration, and I think the people of this country made a great mistake in rejecting it. To the people of the Northwest alone it would have meant at least $10,000,000 more for their wheat crop of this year had the reciprocity arrangement been ratified. You have only to look at the markets of Winnipeg and Minneapolis to see the differ-

ences in prices. No. 1 Northern in Minneapolis is not as good by three cents on the bushel as No. 1 Northern in Winnipeg, yet you will find the difference in value is about ten cents per bushel the higher price being paid in Minneapolis. Unfortunately for the farmers of the Northwest they have a great deal of low grade wheat this year. You find the inspection of wheat at Winnipeg shows that out of six or seven hundred cars of wheat coming in there daily only forty or fifty cars are graded No. 1 Northern. The rest are lower grades and there is a great deal of feed wheat. Now those low grades and feed wheat cannot be sold anywhere but in Ontario. You cannot ship it to the old country. The only place you can send it to is eastern Canada to be used for feed, and when you take the cost of transporting that wheat from the far west to the east it leaves the farmer nothing for his crop. If reciprocity had been adopted it could have been sold in Washington, where they do not raise this wheat and where they want it badly, and would get it if it was not subject to a duty of 25 cents a bushel. If reciprocity had carried, our farmers could have marketed a great deal of that low grade wheat in Washington and got ten or fifteen cents a bushel more for it, so I am safe in saying that the farmers of the Northwest would have received ten million dollars more for their wheat this year had reciprocity carried. That loss will be greater and greater as the years go by. I do not expect for many a long day to see reciprocity established between Canada and the United States. We have been looking for reciprocity for forty years. Every government has been trying for it, but without success, until circumstances arose in the United States which made its adoption possible. Mr. Taft was very anxious to secure the reciprocity agreement and he called a special session and used his utmost efforts and succeeded in getting it passed. I venture to say if the President of the United States had been obliged to submit that treaty to a popular vote it would have been overwhelmingly defeated: so I am told and verily believe. There was not a single agricultural paper in the United States that did not oppose reciprocity with Canada. All the farmers were opposed to it. They did not want our products entering their markets free of duty, but owing to the persistent power and influence of the President and some members of Congress, reciprocity was adopted at a special session. The occasion has passed ; you could not get reciprocity to-morrow in the United States, and should it be necessary to reduce the tariff on grain and other Canadian products entering their market, the reduction will apply to the whole world. We will not have the advantage that we did have under this reciprocity agreement. We and we alone would have had a preference in the markets of the United States. With the reduction in the tariff applying to the Argentine Republic, California, and all the rest of the world, the advantage to us would not be as great as it was under the proposed treaty. So far as the province of Ontario was concerned, I was greatly surprised that it should go so overwhelmingly against a government that had done so much for the country, a government that in its fifteen years of power had brought Canada up to such a high state of prosperity and excellence, when everybody was making money and its industries were going forward by leaps and bounds—that they should turn down the government, because as they said 'We are satisfied with what you have done and we do not want you to do any better.' I consider that in the province of Ontario it was a snatched verdict. The question of the benefits of reciprocity or anti-reciprocity was entirely overshadowed, and it became a question of which flag are you going to sail under, the Stars and Stripes or the Union Jack. Unfortunately for us, the speech which was quoted by the leader of the opposition, which the President delivered in the United States—not for the people of Canada, but in order to try and induce the people of the United States to accept reciprocity—was terribly effective in Ontario, and Champ Clark's reference to annexation was also used. The merits of the reciprocity treaty were entirely overshadowed and it became a question of annexation versus loyalty. That was no doubt the real reason of the change. The other reason was that the manufacturers

of Canada, as a rule, were opposed to reciprocity, not because the reciprocity tariff affected them particularly, but they feared that if products were made free of duty, and the farmers had free trade backwards and forwards, it would necessarily mean an increase of the British preference on some things. By giving free trade in many products to the people of the United States I presume it would have been necessary to increase the British preference on some articles beyond thirty-three and a third per cent. The manufacturers of Ontario do not want any increase in the British preference. The loyal Tories of Toronto are howling about the necessity of maintaining British connection and loyalty to the mother country. Let the government increase the British preference to fifty per cent and you will find a howl from the Toronto Tories; their boasted loyalty will ooze out through their fingers and you will hear no more of it. The manufacturers believe that the treaty would lead to somethig else, and they concluded that it was better to join together, Grit and Tory, and defeat this measure in its infancy, rather than let it have a foothold in Canada. I venture to assert that if reciprocity were in force for one year the benefits to Ontario would be so apparent that no government would dare think of repealing it. It was under the influence of that fear the manufacturers joined together and determined, with the material assistance of our friends across the border, to defeat it. In the United States there was the most determined and bitter opposition to the pact. The manufacturers, trusts and combines sent deputations to Washington and every effort was made to get Congress to reject the agreement, but they were unsuccessful. Then of course the parliament of Canada had to pass it, and the influence of the manufacturers and trusts of the United States joined together with the similar interests in Canada, became a powerful factor, and they also had money to burn. The 'Canadian Century' magazine did great work in the fight. Its editorials were published in four hundred different papers in Canada, Liberal and Conservative. Who paid for this advertising? Immense funds were raised to carry on the campaign.

Hon. Mr. CASGRAIN—There was $60,000 left over

Hon. Mr. CAMPBELL—Yes, I dare say. We had the solid opposition of the manufacturers of Canada, aided and assisted by the manufacturers of the United States, and also aided, I am told, by our Unionist friends in the old country, who now, by the way, are looking to this government for an increase in the British preference. Will they get it? They propose now to have reciprocity in Canadian manufactured goods. I should like to see this government attempt to do anything of that kind. I would not advise them to try it. I think the tariff which we have maintained for the last few years is a very good one, and I do not believe that we should meddle with it. It has built up Canadian interests as they never were built up before. Our manufacturers have never met with such success and prosperity as they have in the last fifteen years, and our country is progressing more rapidly than ever, I would say, 'Let the tariff alone.' But the Unionists are chuckling with glee and gloating over the fact that the proposal to send wheat, oats and barley to the United States markets free has been defeated. But I would point out that our farmers need not go to the United States unless it pays them to do so. If they can make more money by selling to the United States, why should they not do it? I think the opening of another door to our markets was a master stroke. It was not closing any other door. Our people could take advantage of it if it paid them, and if it did not pay they need not take advantage of it. There is another important feature about it: if it did not prove advantageous to Canada, we could have given notice and denounced it at once. It was not a binding tariff that lasted for years. It was optional, and as long as it was beneficial to us it would be continued and no longer. I regret very much that it was not carried, not for myself, because to the ordinary citizen of Canada it makes very little difference. I suppose the rain will fall and

the sun will shine, and the world will move on under the present leadership. If the present government are only wise enough to continue the good work carried on by the late government for the last fifteen years, if they will simply maintain the tariff as it is and follow in the footsteps of the late government, they will bring credit to themselves and the prosperity of the country will undoubtedly continue. I look to the future of this country with a great deal of satisfaction. We have a mighty stream of immigration flowing from the United States to our Canadian Northwest. The late government are entitled to a large portion of the credit for that because of the systematic and businesslike way in which they encouraged immigration that is now flowing in at an ever increasing rate. This year there will be over 300,000 immigrants of the best kind from the the United States and Europe, next year possibly 350,000, and so on as time goes on. These people are bringing immense wealth into the country. They are for the first year consumers and not producers. They keep the wheels of the country going to supply their wants, and in that way the prospects of trade are exceedingly bright, and I think the Conservative party ought to thank their stars that they have fallen into office under such happy circumstances. If they continue in the footsteps and adopt the programme laid down by their predecessors they will undoubtedly contribute to the success of this Dominion, and to their own credit. For the present we will have to accept the meagre programme of business that has been presented to us, and do our best as good citizens of this Dominion, without any party bias, to give to those measures when they come before us, the very best consideration of which they are capable.

Hon. Mr. CHOUQETTE—It is not my intention to debate the subjects mentioned in the speech from the Throne, I merely wish to point out, as the leader on this side of the House has done, that the Senate has not been fairly treated in the matter of the formation of the government. It seems to me that this House deserves to have a minister with a portfolio. We all know the ability and the devotion to his party of the hon. leader of this House, and it seems to me that the leader of the government should have permitted him to choose what he considered to be the best portfolio, as was done with the hon. member for Jacques Cartier (Mr. Monk) in Quebec. I am very glad, as we all are, to see the hon. gentleman from Stadacona in the chair. In selecting the hon. gentleman for that position the government could not have made a better appointment. We all know that he will fill the position with ability, grace and impartiality. On the other hand, I am sorry to see him in the chair, because I am sure if he occupied a seat on the floor of the House he would have criticised the breach of the constitution, as he said last session, committed by the government in not having a member of the Cabinet in this House, also a French minister. The hon. Speaker of this House, when he was simply a senator, on several occasions asked the late government the reason why no French minister was appointed to this House and inquired as to when one would be appointed. I simply wish to point out the injustice which has been done to the Senate in not having a minister with portfolio, and also in having no French minister. It has always been the custom and, according to the contentions of the hon. Speaker in the past, we ought to have one. Now that he occupies such a prominent position, I am sure he will do his very best to see that the government will very soon honour this House, not only with a minister with portfolio, but also with a French minister.

The Motion was agreed to.

POLLUTION OF NAVIGABLE WATERS.

SECOND READING POSTPONED.

The Order of the day being called—

Second reading Bill (A) 'An Act respecting the Pollution of Navigable Waters.—Hon. Mr. Belcourt.

Hon. Mr. BELCOURT—It will be in the recollection of hon. gentlemen that this Bill was carefully discussed, not only during the last session, but during the session preceding as well, and that after it had been referred to the Standing Commit-

tee on Public Health it was very carefully criticised and examined, and on a report to this House it passed the third reading unanimously. The Bill was sent over to the House of Commons in the usual way, but owing to the early dissolution of parliament this measure along with many others, did not receive any consideration in the Commons at all. I am sure every hon. member of this House, with the exception of those who have been appointed since last session, is very familiar with the Bill and its various provisions. I propose to move the second reading of the Bill and ask that it may be again referred to the Committee on Public Health.

Hon. Mr. LOUGHEED—It is not printed and distributed yet, and while no one disputes the statement of my hon. friend that it is the same Bill that was introduced and passed through certain stages last year, yet there are many members present who have never seen it, and are not familiar with its contents. As the session is young I would suggest that the Bill should be printed and distributed.

Hon. Mr. BELCOURT—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.

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

THE SENATE.

THURSDAY, November 23, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

POLLUTION OF NAVIGABLE WATERS BILL.

SECOND READING POSTPONED.

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

Hon. Sir MACKENZIE BOWELL—This Bill has not been printed in English and we do not know what its contents are. It was discussed last session and I may say that the Bill involves an important principle affecting different streams, and under certain circumstances, to my mind, would be impracticable, if the Bill is of the same character as the one considered last session. I would like to see a copy of it, if we are going to endorse it.

Hon. Mr. DAVID—It is the same Bill as we passed last year.

Hon. Mr. BELCOURT—Exactly the same.

The Motion was withdrawn and the second reading of the Bill was set down for Tuesday next.

BILL INTRODUCED.

Bill (D) An Act respecting the Sale of Bread.——Hon. Mr. Casgrain.

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

THE SENATE

FRIDAY, November 24, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

THE DIVORCE COMMITEE.

Hon. Mr. KIRCHHOFFER, from the Committee on Divorce, presented their first report, recommending that the quorum be reduced to three members when dealing with uncontested petitions for divorce, and that in contested cases the quorum shall be five members. He moved the adoption of the report.

Hon. Mr. CLORAN—Before the report is concurred in, I would ask this honourable House if in a matter of such great national importance a quorum of three should be deemed sufficient to decide issues of that nature? Does it not seem to diminish the responsibility of this House when we reduce the quorum to three? In view of the record that Canada has maintained during the past forty years, of being a country where the evil and cancer of divorce was as limited as human nature could make it, we should do nothing that would tend to

increase it. If we are going to practically place the decision of these matters in the hands of three men, then we open up an avenue, I will not say of abuse, but probably an opportunity to err in regard to petitions for divorce that the people of Canada do not want to tolerate or encourage. I do not think it is fair to the honest and virtuous people of this country that decrees of that kind should be left in the hands of three men, because we know that when the report from the committee comes before the House, as a general rule, it is accepted. I for one protest against placing these matters in the hands of three men, who bring the matter before the House in such a way that we are forced to accept it.

Hon. Mr. ROSS (Halifax)—As one of the committee, it struck me at the time that a quorum of three was not sufficient, that it should at least be five and perhaps seven.

Hon. Mr. CLORAN—The question is, what are the hon. members going to do? Are they going to be lax in these matters which affect the moral welfare of the country?

Hon. Mr. DERBYSHIRE—The rule is the same as it has been in former years—in case, owing to some accident, one or two of the members were not present, that three would form a quorum. But it was not expected that much business would be done when only a quorum of three would be present. The larger quorum would do the work. In case of necessity three would form a quorum.

Hon. Mr. DAVIS—When we come to a proposition to reduce the quorum in all the committees of the House, I think the hon. members making the motion should give us some information as to why they want it done. The Committee on Divorce is not the only committee. I do not see the use of reducing the quorum on the Standing Orders Committee or the Railway Committee. Surely, we could place enough members on the committee so that a larger number could attend. I do not think nine members would be a sufficient number on the Railway Committee, or three on the Standing Orders Committee, which is the gateway for all legislation coming into this House. Surely when a proposition is made to reduce the quorum of a committee some reason should be given why it should be done.

Hon. Mr. WILSON—I can see nothing wrong in the proposal to reduce the quorum of this committee. Unless it is reduced, we will frequently be unable to have a meeting of the committee. After the evidence is taken it is printed and distributed to members, and every member has an opportunity to look into it carefully.

Hon. Mr. CLORAN—Not always. Sometimes the evidence comes after the verdict is rendered.

Hon. Mr. WILSON—If the House does not get the evidence in time, I have no doubt the hon. gentleman (Hon. Mr. Cloran) will see that the necessary information is in the hands of senators before further action is taken. He is not so modest that he will fail to insist upon his rights. If we had not an opportunity of looking into the evidence before deciding on any case there would be some excuse for the objection being made. I am not a member of the committee, but I know a small quorum is necessary if the evidence is to be taken. I remember the inconvenience caused in former years by the absence of members of the committee. No divorce is granted unless it is recommended by the committee, and the report of the committee is not acted upon by the House until the evidence is printed and in the hands of members. Then the Bill has to go to the other House and be passed there before it becomes law. Is that not sufficient protection? Does my hon. friend pretend to say that he would vote for a divorce Bill however strong the evidence might be? I do not think we should discriminate against this particular committee, but should follow the rule which prevails in relation to all other committees.

Hon. Mr. CLORAN—This is not a question of getting the evidence. The evidence can be obtained before one man as easily as before three or five or seven or nine or twenty.

The SPEAKER—I would call the attention of the hon. gentleman to the fact that he has already spoken.

Hon. Mr. CLORAN—I obey the ruling of the Chair, because I know the Speaker is capable of making a right order, not like others we have had in the past. I have no objection to the evidence being taken before any number of senators, but I wish to remind the House that when a committee makes a report it is almost certain to be adopted, and there is no appeal. That is placing in the hands of three men the decision of the most vital interest in the social and moral life of the community.

Hon. Mr. DANDURAND—If the quorum is not reduced to three, evidence cannot be taken unless there is a quorum, and it might cause very great inconvenience and expense to witnesses who are brought here from distant places. I am assured that the quorum of three members is only for the taking of evidence, and that the report is not prepared until there is a larger meeting of the committee.

Hon. Mr. CLORAN—I wish to point——

Hon. Mr. POWER—I rise to a question of order. The hon. gentleman has made two speeches already and he surely does not propose to make a third one.

Hon. Mr. CLORAN—I sat down.

Hon. Mr. POWER—Why didn't the hon. gentleman remain seated?

Hon Mr. CLORAN—I merely wish to resume my remarks.

The SPEAKER—The hon. gentleman spoke once. The second time he spoke with the leave of this House. The House having given him leave to speak a second time it can withdraw that leave also and if the House now objects to the hon. gentleman speaking again he is out of order.

Hon. Mr. CLORAN—I am not speaking again. I was interrupted and sat down to listen to what was said, and I am now resuming my remarks. I am glad to know that the decision of the Chair is not so tyrannical as decisions we have had in the past. I am not trying to obstruct the business of the committee; I am speaking in the interest of the social and moral life of the Dominion. I am not influenced by religious prejudice, but solely by a desire to protect the social and moral welfare of the country. We have a record; let us maintain it. I have no objection to the quorum being reduced to three for the purpose of hearing the evidence. I went further and said that one would be enough to hear the evidence. But the balance of the committee, when the evidence is taken, should carefully read and weigh it before deciding whether a divorce should be granted, and so reporting to the House. But how many members of the committee read the evidence? The danger is that after the evidence is heard before three senators, it may be presented to the House with a recommendation to grant divorce, and my question is simply this—why put in the hands of three men the moral and social welfare of Canada?

The Motion was agreed to.

AN ADJOURNMENT.

Hon. Mr. LOUGHEED moved:

That when the Senate adjourns to-day it do stand adjourned until Wednesday next at three o'clock in the afternoon, and that thereafter, unless differently ordered by the Senate it shall adjourn on all future Fridays until Tuesday at three o'clock.

The Motion was agreed to.

RAILWAY ACT AMENDMENT BILL.

FIRST READING.

Hon. Mr. CASGRAIN introduced Bill (E) An Act concerning the payment of salaries or wages of employees of railway companies.

The Bill was read a first time.

Hon. Mr. CASGRAIN moved that the Bill be read a second time on Thursday next. He said: This Bill is exactly similar to the measure which was before the House when we adjourned last May, and I am just reinstating it in the position in which it was when parliament was prorogued. It is to provide for the payment of railway employees twice a month.

The Motion was agreed to.

DECEASED SENATORS.

Hon. Mr. LOUGHEED—Before the orders of the day are called, it is my sad duty to direct the attention of the House to the fact that we have lost three of our members through death since the last session of this House. I refer to Sir John Carling, Mr. Comeau and Mr. Chevrier. With reference to the late Sir John Carling, he had endeared himself to all the members of this House on both sides. I doubt if there has been any man in public life for generations, of the same geniality and amiability of temperament as our late confrere. Looking back over a short sketch of his life, which will be found in the Parliamentary Companion, I am inclined to say that there is no other man actively engaged in public life in Canada that was associated with the public affairs of the Dominion so far back as the late Sir John. He entered the old legislature of Canada in 1857, and served therein until 1867. He was Receiver General under the Cartier-Macdonald government in 1863, and when confederation of the provinces of Canada was carried into effect, we find him entering the government of the late John Sandfield Macdonald, and serving therein, from 1867 to 1871. We find him an active and distinguished member of the House of Commons as far back as 1872, and continuing as such until he became a member of this Chamber. During the last half of the nineteenth century, Sir John's career, I think, may be said to have been largely identified with the political history of Canada. It is doubtful if he has any contemporary living at the present time within the Dominion of Canada who had entered upon those political activities so far back as he himself had done. We therefore look back with a great deal of pleasure upon having had within our Chamber a man of such distinguished public services, and we express our regret and sympathy with his family that he has passed away.

The late Senator Comeau was a comparatively young member of the Senate of Canada, but he had served his native province in different capacities. He was a man distinguished in business, a man who had identified himself with the municipal government of his province, who had been a member of the legislature of Nova Scotia, and afterwards of the executive council of that province. He was appointed to the Senate in 1907, and I have no doubt if the late Mr. Comeau had been spared, owing to his having been one of the more youthful members of this Chamber, he would have rendered us distinguished services.

The late Senator Chevrier came from the province of Quebec, and having great confidence in the development of our western country from which many of us come, he emigrated to the province of Manitoba in 1871, served his province there with acceptability, and during his lifetime had the pleasure of seeing a bleak unsettled stretch of prairie blossom into one of the most prosperous provinces in the Dominion He had the pleasure of seeing the district in which he settled, old Fort Garry, develop from a Hudson Bay fort into a large and prosperous city, one which will probably emulate the greatest cities of this Dominion in the no distant future. I am sure the Senate of Canada will place upon record its regret and sympathy in the bereavement which the families of these three senators who have passed away have suffered.

Rt. Hon. Sir RICHARD CARTWRIGHT —I had not the pleasure of a very intimate acquaintance with two of the gentlemen to whom my hon. friend has alluded, but short as that acquaintance was I believe that they would have been of very great service to the Senate, and would have proved very useful members, as they had, I believe, previously been in their own provinces. With respect to the late Sir John Carling, I entirely endorse all that my hon. friend has said. For very nearly fifty years I had been more or less intimately acquainted with the late gentleman. I think that I voice the feeling of the Senate on both sides in saying that however we may differ as to political opinion, nobody who ever came in contact with Sir John could have failed to recognize his kindliness of heart and his numerous genial qualities. No man in the old House of

Commons was better liked on both sides of the House than Sir John Carling, and although of late his infirmities may have prevented him from taking as active a part in the business of this House as he would otherwise have liked to do, there is no doubt whatever that on many matters Sir John's judgment and long experience were calculated to be of great value to the members of the various committees on which he served. My hon. friend has alluded to his very great length of service. He is quite right, I believe, in saying that, so far at any rate as the province of Ontario is concerned, Sir John Carling was the oldest member of either House who could look back to as early a period of parliamentary service as he did. When I was elected to parliament in 1863, Sir John Carling had then been, I believe, a member for some five or six years, and I think I am correct in saying that he and myself are the only members from the province of Ontario who were members of the legislative assembly in 1863. Sir John, as my hon. friend has observed, had not merely been a member of the administration of Macdonald-Cartier, but he was also practically the leader of the Conservative wing in the coalition government of Mr. Sandfield Macdonald, and aftter that, as everybody knows, he was a very active member for a long time of Sir John Macdonald's cabinet and party. We will all, I think, entirely agree with my hon. friend in saying that while he is gone from us in the fullness of years and honour, that we desire to express our most hearty sympathy with his family and friends in the loss they have sustained.

Hon. Mr. COFFEY—I would ask the indulgence of the House to pay a tribute to my late confrere from London. I knew Sir John Carling as a public man for the last fifty years and had intimate acquaintance with him in all spheres of activity. I must candidly say, that while there were those who differed from him on political questions, no man in the country stood higher as a citizen in the estimation of all. I knew of him in his home life also, and no man in his native city commanded to a greater degree the respect and love and admiration of every one. He was a gentleman in every sense of the word. Never in his whole life have I known him to unnecessarily wound the feelings of another, and now that he has left us I will freely say, and I conscientiously believe what I say is the simple truth, that Sir John Carlings life, take it all in all, in his home life and as a business man, has set an example to the rising generation of the Dominion.

Hon. Sir RICHARD SCOTT—Having been associated in public life for a period of over fifty years with the late Sir John Carling, I feel that it is due to him to make a few observations on this occasion. I had the pleasure of sitting with him in the parliament elected in 1857, and also in the parliament elected in 1861. I was with him for six years after confederation in the Ontario legislature, and subsequently was with him here when he was a member after confederation. In all those years, whether we were politically allied or sat on opposite sides of the House, our friendship continued unbroken. Fifty years ago he was one of my dearest friends, and supported me on very many important questions. On the school question, which we fought out betweeen 1860 and 1863, and on the question of the seat of government, which was up at that time, he always gave me his support. While in the Ontario House, our friendship was unbroken, and so continued to the end. Sir John Carling should be remembered for the important services he rendered in this country. The man who succeeds in growing two blades of grass where one grew before is a benefactor to his country. Sir John Carling established the Dominion experimental farm, which has proved such a success, and has obtained recognition all over the world. The school at Guelph was also established on his initiation. That school probably is the most important institution of its kind now in the world. Students attend there from China, Japan, Russia and all the countries of Europe and Asia. It has a reputation far beyond Canada and has been an advertisement of the Dominion. Therefore, if reference be made to no other act of his career, than the services he rendered Canada in this connection, his name ought to be recorded

with those of men who serve their country efficiently and well. I had great pleasure in listening to the observations of my hon. friends opposite, and my hon. friends on this side of the House, especially my hon. friend from London who is familiar with Sir John Carling's home life. For over fifty years I was probably one of his closest friends. Whether we were both on the same side of the House or on opposite sides made no difference in our friendship, and I deeply regret the loss this country has sustained through his death.

Hon. Mr. POIRIER——It is indeed meet and proper that the memory of those who have lived amongst us should not be forgotten, but should be recalled at least on the first occasion when this House meets after their demise. Our turn will surely come and is fast approaching. We cannot close our eyes to the fact that the grim mower is constantly and eternally doing his work, and is not forgetting this Senate, whose members certainly die proportionately in larger numbers than the members of the other House. I agree in all that has been said concerning our departed colleagues, and more especially as to what has been said concerning Sir John Carling and Mr. Comeau, whom I happen to have known better—I may say more intimately. A curious co-incidence exists between these two gentlemen. Sir John Carling entered active political life possibly earlier than any living member of either House. Mr. Comeau belonged to the nation that was first to colonize this part of North America and implant the seeds of Christianity and civilization. His appointment to the Senate by the Liberal government was a graceful act. He deserved the appointment on his merits he deserved to be appointed on account of the numerical importance and other claims of the people he more particularly represented. I do not mean to narrow it down to sectionalism and say that a man ought to be appointed to this House because he happens to belong to a certain nationality or a certain religion but there is harmony in giving minorities representation. It is conducive to good feelng and shows that the power that looks towards giving minorities their due rights is prompted by motives that are conducive to harmony and contentment. The Laurier government in appointing Mr. Comeau did a graceful act and I trust that my hon. friends on this side of the Senate will see their way to replacing Mr. Comeau by one of his nationality, were it merely as a historical ethic that the nation that founded the first colony in this great confederation, which is still represented by large numbers, should have appropriate recognition at the hands of governments of either political party.

Hon. Sir MACKENZIE BOWELL—I do not know that I can add anything to that which has already been said in reference to our departed friends and colleagues. I rise merely to express my personal gratification at the remarks that have been made, not only by the leader of the House but by the gentlemen who have spoken on the opposite side, and more particularly was I pleased with the remarks made by the hon. gentleman (Mr. Coffey) who has lived in the city of London and knew our late colleague for so many years, not only in his political and business life, but what is of infinitely more importance, his home life. If any one wished to know in what appreciation Sir John Carling was held in his own of Commons, he scarcely ever rose to reply, present in London during his funeral. In my long acquaintance with Sir John Carling we were friends not only politically but personally. I do not think there was a more congenial companion to be found. He was a colleague of mine for many years. Notwithstanding his great business ability in the management of his official duties in the offices which he held, he was a very timid man—so timid that when he was violently attacked, particularly in the House of Commos, he scarcely ever rose to reply, and if he did reply it was in the most courteous and gentlemanly manner. Many a time have I sat behind him when he was violently attacked by his opponents and have urged him to retaliate, but on no occasion have I ever known him to do so in the spirit which I probably would have shown under the circumstances. The experimental farm in Ontario and the central experimental farm here, organized while he was a minister of the Crown, are the best monuments that could be erected to his mem-

ory, better than anything that could be raised in marble or brass. In reading the history of this country, his family will be able to refer to these institutions, one established while he was a minister in the Ontario government, and the other while he was a member of the Dominion Cabinet, as evidences of the services he rendered his country. Personally, altogether apart from politics, I deeply regret the demise of a gentleman whom I personally held in such high esteem. I regret that every session it is our paintul duty to have to mourn the loss of some of our members. As my hon. friend to my right has intimated, we must all follow in the same way, possibly some of us in the near future, and when we do it will be well for us if we can leave as good a record behind us as our late colleague, Sir John Carling.

The Senate adjourned until Wednesday next at three o'clock.

THE SENATE.

WEDNESDAY, November 29, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

NAVAL PLEBISCITE.

INQUIRY.

Hon. Mr. DAVID inquired of the government:

Has the question of a plebiscite been considered in the formation of the government in connection with the organization of a navy, and was there an understanding in respect thereof?

Hon. Mr. LOUGHEED—In reply to my hon. friend I would say that, except in so far as these questions have been dealt with in the public utterances of the Prime Minister, No. To the second part of the question, the answer is, No.

INCORPORATION OF RAILWAY COMPANIES BILL.

SECOND READING.

Hon. Mr. DAVIS moved the second reading of Bill (B) An Act to provide for the incorporation of Railway Companies.

Hon. Sir MACKENZIE BOWELL.

He said: I do not think it is necessary to enter into any explanation of this measure. It has been before the House on two different occasions, last year and the year before. It made very slow progress. It reached the Railway Committee last year. The principle of the Bill was approved, and a subcommittee was appointed to deal with the matter in detail; but as the session was a busy one the measure got no further.

Hon. Mr. POWER—The session came to an unexpected end.

Hon. Mr. DAVIS—The bill of fare which the government has laid before parliament is not large, and I am justified in hoping that this measure will reach the Commons this session. The Bill provides a new system of dealing with the granting of railway charters. I have previously explained to the House the effect of it, and hon. gentlemen, except probably the new senators, are aware of its provisions.

Hon. Mr. DAVID—Is it the same measure that was introduced last year? Is it limited to a certain class of railways or does it apply to all railways?

Hon. Mr. POWER—It does not apply to provincial railways.

Hon. Mr. DAVIS—It applies to all railways under the control of the Dominion government. We have no jurisdiction over provincial railways, and of course it cannot apply to them.

Hon. Mr. DAVID—I understand we do not affirm the principle of the Bill by passing the second reading?

Hon. Mr. POWER—It goes to committee.

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

POLLUTION OF NAVIGABLE WATERS BILL.

SECOND READING.

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

He said: As I explained the other day, this is the same Bill which was fully dis-

cussed in this House and passed the previous session. It went to the House of Commons in the usual way, but it was not considered there owing to the early dissolution of parliament. Unless it is desired that I should further explain the Bill, I shall content myself with moving the second reading now.

Hon. Sir RICHARD SCOTT—An opportune time is offered for the presentation of some views which I hold on this subject, pertaining to the health of the community. No higher duty can be imposed on parliament or on any legislative body than making laws that will extend the lives of the people. In other words to cut off all those causes that bring about premature death. That has been my view for a long time; but the parliament of Canada, believing that that duty devolved upon the provinces, has hitherto given a cold shoulder to the introduction of measures for protecting the health of the people. The late government took the stand that it was the duty of the provinces, and former governments had adopted the same principle. Now, in a matter of such importance as the health of the people, surely we cannot brush aside a subject of such magnitude; therefore I propose to submit to the House a few figures showing that Canada ought to be the healthiest country in the world, where we have the finest opportunities for pure air, where we can have pure water, if my hon. friend's Bill is carried out, and where we have more than the ordinary sunshine that is enjoyed by any country in the world. I am sorry to say that with all those facilities for developing health, Canada stands very low down among the countries of the world in its mortality scale. I am unable to get very recent figures, as the census of 1911 is not yet complete, but I take the figures of the census of 1901. Very few changes have taken place, however, in the last ten years, and relatively to population the mortality may be considered on the same scale. Those figures disclose the following facts: The population in 1901 was 5,300,000. The death rate was 81,000 in a single year, and of that number 21,328 died in their first year, slaughtered the year of their birth. In the next four years 10,019 were slaughtered, making a loss in the first five years of 31,347 children no doubt healthily born, but sacrificed in the first five years of their existence. That is, three-eighths—nearly one-half—that die through ignorance of the proper way to bring up children. From five to twenty-five years the deaths were 12,248. That is, the deaths occurring up to the age of 25 years were 43,595. Considerably more than one-half of the deaths in Canada in one year occurred before attaining the age of 25. That is a grievous reflection on the intelligence of the people. Before the flood, men lived for centuries. After the flood, we are told by the Bible that people attained the age of 125. Later on, the Psalmist speaks of people living up to three score and ten; but we have knowledge that 125 years is reached by some, showing that the natural vitality leads up to the century mark at any rate. An animal that reaches maturity in five years dies at the age of 25. Man does not reach maturity until nearly 25 years, and therefore he ought to live to one hundred, yet we find that half the deaths in Canada occurred before reaching the age of 25. How does that compare with other countries? Quoting from the table relating to males, the deaths of females is somewhat less. (See Webb's Dictionary Statistics, pp. 187.) In England and Wales the mortality of every thousand children born is 171 in the first year. In Denmark the number is 146, in Norway 105, in Austria 249, in Belgium, which is a densely populated country, very little larger than Nova Scotia, but with a population of a little over eight millions, the mortality is 202. In Canada it is 260. We head the list of all those countries. Then of the number who die before reaching the age of five years, the figures are for England and Wales 273, Denmark 201, Norway 171. Norway does not get anything like the sunshine that Canada enjoys, and yet life is longer than here. The rate in Austria is 385, in Belgium 294, in Canada 380, just five less than Austria. The difference in the death rate between Canada and Norway shows that 209 more children in every thousand are slaughtered here than in Norway. Figures of that kind ought to alarm people. I venture to say

that if one suggestion which I am prepared to make were adopted, so far as Canada is concerned, that we could cut the figures in two. I have had sixty years of observation and experience on the subject I am speaking of, and I say if you could pass a law that no child under five years should have a drug administered to it, you would cut the mortality down one half. Mrs. Winslow's Soothing Syrup and similar compounds are openly sold in Canada and very often without a doctor's prescription, and they are the drugs which kill children. In Montreal last summer in the months of June, July and August, out of 1,000 children born 770 died.

Hon. Mr. THOMPSON—Were they all killed by Mrs. Winslow's Soothing Syrup?

Hon. Sir RICHARD SCOTT—That drug and similar compounds are used more extensively in the province of Quebec than in any other part of Canada. Are the children of lower Canada not born with vitality? You frequently hear of families of eighteen, twenty, twenty-two or even twenty-four children. That many children are born—how many live? Four thousand more children die in each year in the province of Quebec before attaining the age of five years than in Ontario. I speak in the presence of members from the province of Quebec, and I ask them if that is not the fact? Now, why do two-thirds of the children die in the province of Quebec? From using soothing syrup. It is a most tempting drug to administer. If a child cries, the mother has nothing to do but to give it some soothing syrup and put it in a cradle. The child goes to sleep and when it wakes and cries again the dose is repeated. Now in all that soothing syrup there is opium in some form.

No question about the fact why it dies. 'The Lord calls it away,' and we blame the child's death on its Maker, who intended that it should live seventy-five years, and perhaps have risen to prominence in the community. All these children would have some vocation; very often the child who is lost had in him the possibilities of a future statesman, or in some other vocation would have been able to give valuable advice and assistance to his fellowmen. I have no hesitation in committing myself to the statement that one-half of these infantile deaths would be avoided if a law were passed prohibiting the administering of drugs during the first five years of life. Probably after that, although the child would be better without it, it might be able to resist the evil consequences of the drug. In my experience, which runs over sixty years, it is the delicate man or woman who lives, because they do not draw on their constitution as the strong and vigorous do, who turn their stomachs into a swill pail—that is the only interpretation you can put on it—and no wonder they die. There is a difference in mortality between Canada and Norway of 209. In England and Wales they have the advantage of 89—where poverty prevails to such an extraordinary degree, where they have not the benefit of pure air and are living together so closely that the health of the people diminishes. Here, with our magnificent climate, pure air, sunlight and all the advantages for a long life, a large number cannot attain their maturity. It is monstrous to allow poisons to be sold that bring about such mortality. When we had a discussion on the question of public health last year, the use of morphine and opium came up, and we found gentlemen advocating the permitting of a horse doctor giving a prescription for morphine and opium. I pointed out the fact that we imported tons of opium into this country. For years and years the people of China have been begging and entreating the British government not to allow opium grown in India to be sold in China, a trade that was putting money in the pockets of those who traded in the drug in India, and was debauching the Chinese. I think it is a shocking and unchristian thing for a great country like Britain permitting such a trade to continue, in the face of the protest from China.

Hon. Mr. POWER—She does not do that any more.

Hon. Sir RICHARD SCOTT—No. She has reduced it to a lease for five years and the lease has not yet terminated. During the time parliament was sitting in Ottawa in the early part of the present year we

were face to face with an epidemic of typhoid fever, and it seemed very opportune that the Bill of my hon. friend from Ottawa was being considered by parliament.

Hon. Mr. BELCOURT—I really introduced it the session before.

Hon. Sir RICHARD SCOTT—It had been held over. Hon. gentlemen were somewhat impressed by the immense number of typhoid cases in the city of Ottawa. I think they ran up to about a thousand last year.

Hon. Mr. BELCOURT—Nearly two thousand.

Hon. Sir RICHARD SCOTT—That was all due to allowing the clear, wholesome, pure waters of the river that runs by our doors to be polluted with human excreta. Typhoid is a disease you contract through your stomach. You must eat or drink the germ, and you generally drink it. The typhoid bacilli will live in the colon. There are other bacilli but strange to say bacteriologists maintain that there are only two bacilli that are really deadly to man, cholera and typhoid bacilli, that the human organism is sufficiently powerful to throw the other bacilli off. My conviction is that if we live naturally we would be absolutely immune to typhoid. There were two thousand cases here last year. The population of Ottawa was about eighty thousand. I do not hesitate to say that there were about twenty-five or thirty thousand men and women who drank from the tap during all that time and did not contract typhoid. Why did they not catch the disease? Simply because their systems were immune to it. The organization of our cows and horses is certainly not as strong as that of men, and yet they did not contract typhoid because they lived on natural food. That is the reason, and it is a very easy explanation. Man was the most complete creature in organization that left his Maker's hands—simply perfect. Perhaps I should not go into that part of the story, because we all recognize that man's organization was perfect and therefore absolutely immune from all diseases. But, unfortunately, as a result of the way people live they are susceptible not only to typhoid, but fifty other diseases. We have about eighty on the list. The typhoid epidemic of this year, as was clearly proved, resulted from persons being allowed to throw the excreta from typhoid patients into the water. Doctors are usually called in in typhoid cases; at all events there should be a doctor in every district where there is typhoid, and a law should be passed that not only the excreta, but the fluids, should be treated with carbolic acid, or some other disinfectant, which would destroy the germs and prevent any evil consequences. To allow it to go into the water and to be consumed by people who have to drink that water is simply murder, and a law should be passed to prevent it, as is the case in other civilized countries. Why should we be so neglectful of human life? I have in my hand a table showing the average death rate from typhoid per 100,000. In the United Kingdom with such a large congested population, the death rate is only eleven per hundred thousand. That reminds me of a very important question which I see is being discussed in the press in reference to water that has to be purified for domestic use. Sixty per cent of the people of London—which would embrace probably four millions of the total population—are supplied with water from the river Thames, and yet only eleven cases of typhoid per 100,000 of the population occurred in England and Wales. Why? Because they have strong laws against the pollution of streams and they purify the water by filtration. The subject is now being discussed in Ottawa, on the report of an expert commission who recommend taking the water supply from a point fifteen or sixteen miles away, although we have the finest water in the world at our own door, if we can keep the poisons out of it and filter it.

Hon. Mr. BELCOURT—Hear, hear.

Hon. Mr. SCOTT—The deaths from typhoid in the United Kingdom are eleven per hundred thousand. In Belgium, where the population is more crowded, it it eighteen per hundred thousand. France, twenty-eight, Germany eight, Denmark seven. In little Denmark the population is necessarily very crowded, and yet they can get rid of their filth in other ways than throwing it into the water. I called

attention to Norway before, but I desire to refer to the preservation of childhood in that country. The mortality rate from typhoid is only five per hundred thousand —just imagine, only five.

Hon. Mr. CLORAN—Let us all go to Norway.

Hon. Mr. SCOTT—No, we have a better country in Canada. All we have to do is to act wisely, and take proper precaution. In New South Wales the mortality from typhoid is 22; Victoria, 16; New Zealand, 8; Japan, 12; United States, 32; Ceylon, 142; Canada, 35, all per 100,000. We are ahead of the States, and we are seven time ahead of Norway in the death rate.

Hon. Mr. BELCOURT—We are worse off than the United States.

Hon. Mr. SCOTT—We are ahead in mortality. We are seven times worse off than Norway. Is it not a disgrace to the legislation of the country that such a state of affairs should be allowed to exist? We get more than double the amount of sunshine than Norway does, and typhoid is a disease that does not necessarily exist unless we chose to drink it, and the fluid that we use can be protected without any trouble, if we chose to take steps to do so. There should be no great difficulty about it. I hope public opinion will soon be educated up to the necessity of acting on the suggestions I have made. Certainly the city of Ottawa has a very good source from which to obtain good water. The capital is better situated for obtaining a pure water supply than any other city in the world. The watershed of the river that passes by comprises forty thousand square miles. The preceding government of the country—and I have no doubt this government will follow them in that regard—adopted a principle of storage dams at Temiskaming and a number of the leading lakes tributary to the Ottawa, which I need not mention. By constructing dams the water can be stored and let down gradually. Any hon. gentlemen who have been here in the spring of the year and have seen the tumbling waters come down beneath the suspension bridge at the rate of one hundred and fifty thousand cubic feet per second can imagine what that would mean if it were held back by dams in the lakes and gradually let down to us at the rate of, say forty thousand cubic feet per second. I have no doubt the present government will follow up that policy, because it is a reasonable one, and at all events in building the Georgian Bay canal it will be necessary to provide necessary depths of water required in the different streams in the stretches between the lakes. The best section from which to obtain our water supply would be where there is the heaviest rainfall. The Ottawa river flows with very considerable rapidity. At various points there are falls and rapids which help to aerate the water. But the principal advantage it has is that the area is so large for the rain and snowfall, which I think amounts to about forty five inches. Nearly four feet of water falls over that entire area every year, and it is constantly flowing away. The supply is fairly constant from the fact that there is this large drainage area. If we could get the water fresh as it comes to us from the clouds we would have pure distilled water. As it falls to the earth, it becomes contaminated and polluted by man. A merciful Creator sends it on to the ocean. It is there purified and raised again to the sky, and we get it back again purified and distilled, and the process continues month by month, year by year, and century by century, supplying us with pure water from the heavens.

There is, therefore, no possible excuse for the proposition to take the water from any other locality than the Ottawa river. The government of this country have a voice in this. The representatives of the people are here for about six months in the year. They want the best water Canada can afford, and the best water we can have is from the Ottawa river. Allow the sediment to settle and then purify it by filtration, a process which is easily done. Some parties may say that the water is turpid. Filtration would remove the turpidity. I have heard no objection to it on that score; but even if it were turpid, the remedy is easy. I trust this government will assert themselves in this matter, and that they will have a voice in the question

of the water which is to supply this city. It is used for several months each year by the representatives of the people from all parts of Canada.

Hon. Mr. DAVIS—How do they deal with this question in Norway?

Hon. Mr. SCOTT—Norway is not a thickly populated country, and the people are not concentrated so much in the cities as they are in other places. They lead a simple life, and are in the open air a great deal.

Hon. Mr. DAVIS—Are they allowed to drain the sewege to the streams?

Hon. Mr. SCOTT—I am not in a position to say. It is a mountainous country, and there is a large snowfall and rainfall there, therefore the fresh waters come down more frequently and freely than in Canada.

Hon. Mr. CLORAN—They are great wine drinkers, are they not?

Hon. Mr. SCOTT—I think not.

Hon. Mr. DAVIS—I think this Bill is a step in the right direction, and if it has the effect of reducing the death rate, as I am sure it will, it will be a great benefit to the people of Canada. The hon. gentleman has compared the death rate of Canada with that of Norway. In a new country we are subject to conditions which they do not meet with in Norway. In the western districts, we find that typhoid prevails in places situated far from streams. Probably they do not use proper precautions and typhoid results. I think the comparison of Canada with Norway is not a proper one. This is a healthy country taken all around. In any new country where you have mining camps and railway construction, unhealthy conditions will prevail, and the deaths occurring in such districts are recorded and tend to increase the mortality rate of the whole country.

In Norway and Belgium they have not been constructing railways many years. The Bill is a step in the right direction, and I hope it will meet with the approval of the government and become law.

Hon. Mr. CLORAN—I think it is well to prevent the pollution of the small streams; but what harm can it do to discharge sewage into the St. Lawrence below Montreal? There are, of course, large towns along the river, such as Three Rivers, Sorel, Rimouski and Quebec, but I cannot see where the health of the people in those places will be in danger through discharging sewage into so large a river.

Hon. Sir RICHARD SCOTT—Is it not salt water there?

Hon. Mr. CLORAN—Not at Quebec. The tide begins 25 or 30 miles below. This legislation would prevent towns and cities discharging sewage into navigable waters where it could cause no danger to the health of the people.

Hon. Mr. CASGRAIN—They would have to purify the sewage.

Hon. Mr. CLORAN—There is no need of purifying it where it is discharged into a river like the St. Lawrence below Montreal, where the stream is several miles wide in places.

Hon. Mr. BELCOURT—The Bill is wide enough to allow the Department of Agriculture, who will have the putting of it into force, to exempt cities like Quebec and Three Rivers from the operation of the law, or require only a limited filtration. There is no necessity to deal with these details, because hon. gentlemen will remember that the Bill merely creates a penalty and enables the Department of Agriculture, after consultation with the health officers, both federal and provincial, to enact regulations suitable for the localities they may affect. One provision, if the Bill is assented to is to enable the government, through the Department of Agriculture, to take up the matter and enact regulations of a general or a specific character. If there are places on the St. Lawrence or any other river where filtration of sewage is not necessary, that is a matter which will be dealt with by the department. I stated in the House last year that I was very careful to eliminate from the Bill anything which would call upon parliament to determine what was going to happen in any particular locality. That is too wide a matter, and would have to be determined only after consultation and

wise advice, and necesarily such details must be left to the Department of Agriculture. If we pass this Bill all we are doing is sanctioning the principle that sewage, before it is discharged into our navigable rivers, must be treated. We say that the practice of dumping sewage into navigable rivers must cease. We say, in order to bring that about, the Department of Agriculture is authorized to enact regulations which will be put in force, not now perhaps, not six months or even six years hence, but whenever and wherever the department finds it advisable to enforce the regulations. All we are doing now is to pass a Bill which, to use a vulgar phrase, 'puts it up' to the government to consider the matter with the health officers of Canada and devise means by which this criminal, stupid and murderous practice must be put an end to. There is a provision in the Bill also that even after the regulations are put into force the Governor in Council may suspend the provisions of the Act or any portion of it for any part of Canada, or the whole of Canada, and may do so from time to time as the public convenience of any locality may require. I was extremely anxious to leave out of the Bill anything that would be controversial or anything which would put upon parliament the necessity of dealing with this question as it applies to one locality or another. We all realize that in matters of this kind that what will do for Ottawa might not do for Aylmer or Montreal. Different localities require different treatment. All such specific details have been carefully left out of the Bill. It simply provides for the enactment of regulations which will enable the government to take the matter up and deal with it effectively at such time as the officers of the Crown may think best. I hope the Bill will commend itself to the House and to parliament generally, and that we are going to begin now to put a stop to a stupid and dangerous practice. It may be a long time before we have the law in force all over Canada, but if we do not begin now we may never begin. The difficulty of putting a stop to a practice of that kind will increase with the growth of population. Now is the time to begin. I quite realize that it will take time to kill off all the typhoid germs in the water we drink, but as has been said by the hon. and venerable gentleman who has just addressed the House, no language is strong enough to qualify this practice. It is not only criminal, it is stupid in the extreme. Why should the water of the river Ottawa be polluted with human excreta? The thing is not susceptible to proper qualification. We see in our press occasional strong articles against a little village a few miles above us which is draining its sewage into the river. Last summer, at the time we had the typhoid epidemic, the daily papers were filled every day with the iniquity of Aylmer, with its population of 3,000, dumping its sewage into the Ottawa, while the city of Ottawa itself, with a population of one hundred thousand people, was guilty of the same practice. The people below us were getting the germs from the two thousand patients we had here last winter, and shortly after the epidemic in Ottawa there was an epidemic at Rockland a few miles below the city.

Hon. Mr. McMILLAN—Has the hon. gentleman any evidence that there was a typhoid epidemic below the city of Ottawa?

Hon. Mr. BELCOURT—Yes, at Rockland, the home of our colleague, Mr. Edwards.

Hon. Mr. CLORAN—Why was there no epidemic at Buckingham?

Hon. Mr. BELCOURT—Because Buckingham is not on the Ottawa river, it is three or four miles inland.

Hon. Mr. CLORAN—Well, at Hawkesbury?

Hon. Mr. BELCOURT—There may have been an epidemic there, and at other places. I could quote figures to show that the deaths from typhoid every year are enormous. I think they are next highest after tuberculosis. But why should we allow this practice to continue when we can get pure water at very little expense? My hon. friend spoke of Belgium, which has one of the most congested populations in the civilized world, between three hund-

red and fifty and four hundred persons to the square mile, as compared to three or four in Canada. In Belgium they have a system of treating sewage, and the cost of securing immunity from typhoid germs is only seven cents per head per annum. Who would not pay seven cents per head to secure immunity from such a disease? I admit that it would cost more to treat sewage in Canada than it costs in Belgium, because the cost of labour is higher here and because the government of the kingdom contributes one-third of the cost of installing these purification plants. I only mentioned that to show that it is a matter of very small expense for cities like Ottawa and Montreal to install purification plants. It is a trifle compared with the enormous loss which we sustain for want of these purification plants. Look at the loss to Ottawa through the epidemic of last winter, when two thousand people were stricken, It must have been a heavy loss, between the expense of doctors and nurses, and loss of production, to say nothing of the loss of life. Let me ask again, as I did on a former question, what would we think if our drinking water were brought to us in a swill pail? Is not that what is happening? We are doing that year after year. The provinces say, 'it is not our concern'; the Dominion says, 'we have no power to legislate on this question.' In that way we keep tossing it from the province to the dominion, and from the dominion to the province, and shirking an imperious duty. So far as navigable streams are concerned, over which this parliament has jurisdiction, let us take up the question and deal with it, and the provincial legislatures will follow suit. The provincial health bodies in Ontario, Quebec and Saskatchewan have expressed themselves entirely in support of this Bill, and have agreed, should it become law, to do everything they can to enforce it in their territories. Let us pass this Bill and get power to stop this criminal practice.

Hon. Mr. POWER—I feel that the Senate is under a very great obligation to the two learned and hon. gentlemen from Ottawa for the valuable information they have given us in connection with the second reading of this Bill. It is only natural that we should hear from these hon. gentlemen in connection with the matter, because it is only necessary to go back to last winter to find that the city of Ottawa suffered——

Hon. Mr. BELCOURT—Will the hon. gentleman allow me to explain.

Hon. Mr. POWER—I know what the hon. gentleman would like to say. I am aware that he introduced this Bill before last year.

Hon. Mr. BELCOURT—The hon. gentleman's remarks lose some of their force.

Hon. Mr. POWER—The hon. gentleman stated, if I am not in error, that there had been every year a considerable amount of typhoid in Ottawa. That is true, whether he stated it or not. Therefore it is natural that the hon. gentlemen who represent the city of Ottawa should take a special interest in this question, and I think it is to their credit that they have shown that interest and have taken the trouble to bring the matter up in this House, and offer so much valuable information for the consideration of parliament. Has the hon. gentleman any objection to my statement?

Hon. Mr. BELCOURT—I rose in a good-natured way to remind him that I had introduced this Bill a year before there was any epidemic in Ottawa, and therefore it was not prompted by the fact that there was an epidemic last winter.

Hon. Mr. POWER—I suppose we all agree in thinking that the object aimed at in this Bill is a most desirable one; notwithstanding that we have to consider whether or not the Bill in its present form is likely to bring about the result that we all desire. The hon. gentlemen said it applied only to navigable waters. The second clause of the Bill provides as follows:

2. Every person is guilty of an offence against this Act and liable on summary conviction to the penalties hereinafter provided, who puts, or causes or permits to be put, or to fall, flow, or to be carried into any navigable water, or into any other water any part of which is navigable or flows into any navigable water,—

(a) any solid or liquid sewage matter; or

(b) any other solid matter which, not being sewage, is poisonous, noxious, putrid, decomposing, refuse, or waste; or

(c) any liquid matter which, not being sewage, is poisonous, noxious, putrid, decomposing, refuse or waste;
unless such matter, whether solid or liquid, is disposed of in accordance with regulations or orders made or permits granted under the authority of this Act.

The hon. gentleman must see that all the water in this country flows ultimately into navigable streams. It is only right to understand what we are passing. From the city of Quebec up to the head of Lake Superior there are numerous cities whose sewage at the present time goes into the St. Lawrence river. There are cities and towns on the Ottawa river from Montreal up to New Liskeard, all of whose sewage is discharged into the Ottawa river. These are navigable rivers. Then, under this Bill, if a farmer anywhere within the basins of the Ottawa or St. Lawrence river—and when you speak of those you mean practically the whole of Ontario and Quebec,—permits the soakage from his stable to find its way into any stream which is an affluent of one of these large rivers, he is guilty of an offence against this Act and liable to a penalty of $50, and an additional amount of $10 for each day the offence continues, or to imprisonment not exceeding two months or for both such fine and imprisonment. All these cities would have to completely alter their present system of disposing of sewage. It is desirable that both the cities and the farmers should alter their method of doing things; but it seems to me that the hon. gentleman in his Bill has put the cart before the horse. Instead of saying that this Bill shall apply to the whole country at once, and that after the Bill becomes law the government may except such portions of the country as they deem fit from the operation of the measure, the natural and reasonable course would be to impose upon the government the duty of gradually extending this law from small beginnings to the whole country. The government could find out which was the best way and the best place to begin at in a district and then gradually extend the operation of the law by proclamation. But to undertake to bring this law into operation all over the Dominion at once, and then exempt certain portions of the country is not a wise or prudent way to proceed. This is a matter which does not affect the principle of the Bill, and I mention it so that when the hon. gentleman takes it into committee some consideration may be given to this view.

Hon. Mr. WILSON—We must all feel grateful to those who have taken such an interest in this question. Every one must recognize its importance. The statement made by the hon. knight from Ottawa goes to show that an enormous proportion of the children born in this country die prematurely on account of diseases generated by contaminated water. All will agree that it is a question deserving the consideration of every member of the House. We all regret the high infant mortality and would like to devise means to prevent it. But the question arises, how are we to accomplish the object in view? Will this Bill, even if it becomes law, attain the desired result? If the hon. gentleman can show me that I shall join hands with him and do all in my power to place it on the statute book. It may possibly mitigate, to a certain extent, the evils arising from the contamination of water. But as has been pointed out, if this Bill should become law, unless the government of the day intervened, every farmer would be prevented from properly fertilizing his land. All the waters run to the sea. We know that the farmers have drainage which carries water into the small streams which eventually find their way to navigable waters. Is it part of the hon. gentleman's object to prevent farmers fertilizing their land? If so there would be friction at once between the Dominion and provincial authorities.

Hon. Mr. BELCOURT—It is not intended that the Bill shall go into force at once. It will only go into force when a proclamation is issued. As to whether there will be friction between the Dominion and provincial authorities, that is a matter which will be dealt with by the Dominion government in framing their regulations.

Hon. Mr. WILSON—The hon. gentleman says the conflict will come in later on. Has he a right to leave it optional with the Governor in Council to cause such conflict? I should hesitate very much to be

a party to over-riding the jurisdiction of the provinces, because the local authorities are far better able to carry out a health law than are the Dominion authorities.

I think we should leave to the provinces the rights and privileges which have been specially allotted to them. If this Bill would accomplish the result my hon. friend predicts and lessen mortality among children, we might stretch a point and pass the measure. But I think it would be impossible to prevent the drainage from farms from flowing through the creeks into the navigable streams, thereby polluting those waters. I cannot see the object in passing a Bill which would not accomplish beneficial results. Even the power reserved to the Dominion government to suspend the law in various localities would not prevent the polluting of navigable waters. I do not think my hon. friend will pretend that it would have that effect. Unless something can be accomplished, we should not interfere with the jurisdiction of the provinces. Let them alone and they will enact laws to protect the health and lives of the people. I sympathize with the hon. knight (Sir Richard Scott), when he deplored the great loss of the children who are being sacrificed by drinking contaminated water. But he must remember that water is not the only cause of the death of children.

Hon. Mr. CLORAN—It is due more to impure milk.

Hon. Mr. WILSON—I suppose the hon. gentleman knows that the water that the cow drinks will contaminate the milk and that milk will produce disease in the children. How is he going to avoid that? I suppose he will say that he will prevent the water from being contaminated. He would have to prevent the farmers and others from throwing refuse into navigable streams. Is it possible to accomplish that? If diarrhoea exists to an abnormal extent in a certain district the doctors take precaution that the milk the children use is free from danger or contamination, by the cows that supply it drinking only the purest water possible. Will his Bill accomplish this? I also sympathize with the hon. gentleman from Ottawa when he deplores the serious results of the administration to children of poison in the form of patent medicines and the great number of deaths resulting therefrom. The hon. gentleman does not believe in medicine. I do not think his judgment in that respect is superior to that of gentlemen who have devoted all their lives, their ability and energy to acertaining what is best for the human system. He cannot convince me that he is entirely free from poison, that he has not taken any poison into his own system and that it is the sole reason he is so healthy, I can assure him that every day of his life he takes a certin proportion of poison into his system in the diet he uses, and a little poison is a good thing once in a while. All physicians hesitate to give an opiate to a child, not that it is particularly poisonous, but a child is liable to be thrown into convulsions after taking any preparation of opium or paregoric. Physicians are not all fools, and they know how much opiate they can safely administer to children. Again, how can we settle this matter with the rural sections? Instead of sending the measure to a select committee, I think we should deal with it in committee of the whole House where we will get the very best information possible as to the proper course to pursue. If we have a guarantee that it will be considered in Committee of the Whole I shall vote for the second reading, but if it is to go to a select committee I shall vote against it.

Hon. Sir RICHARD SCOTT—Perhaps my hon. friend will explain the poison that I take?

Hon. Mr. WILSON—My hon. friend knows as well as I—and perhaps better, because he has had longer experience—that almost everything he takes into his system contains more or less poison.

Hon. Sir RICHARD SCOTT—No, no.

Hon. Mr. WILSON—And that it is absolutely necessary at times that a certain amount of poison should be taken into the system.

Hon. Sir RICHARD SCOTT—I deny that I take poison into my system. I have

not in sixty years had a drug of any kind, not even a seidlitz powder.

Hon. Mr. WILSON—The hon. gentleman takes in more or less poison with the air he breathes. He takes no food that does not contain more or less poison. It is true, the human system eliminates poison, which if allowed to remain in the body would cause death. Providence has come to our rescue and has taught my hon. friend a lesson that unless his system eliminates the poison that is constantly going into it, the destruction of life would be rapid and persistent. I call upon the hon. leader of the House to see that we have an opportunity of expressing our views fully on this matter, and that there shall be nothing done to bring about a collision between the Dominion and the various provinces.

Hon. Mr. DOUGLAS—I have the honour to be a member of the Committee of Health for the Dominion, and have been interested in this question, not only since my appointment, but for years before, and I have some opinions about the pollution of rivers that lead me very seriously to doubt the wisdom of this Bill. In the first place I question the statement that the enormous loss of life that is said to take place during the period of infancy is due to typhoid germs. This Bill takes it as an established fact. I would like to see a census taken by competent persons that would establish that as a fact. I believe if the opinions of competent medical experts as to the real cause of this great loss were ascertained, it would not be found to be a typhoid germ which was causing the mischief, but it would be attributed to another cause altogether. I am sure every medical man on the floor of the House will agree with me that in most cases, during the hottest period of the summer especially, sickness of children is almost solely due to indigestion. and the result is diarrhoea which at that period of life is very difficult to handle successfully. The consequence is, the death of a large majority of these children is due to starvation from improper nourishment, and not from germs that are supposed to have come from the water that they used in their food. Before a Bill of this kind is passed it should be determined or not that this great mortality rate is due to typhoid germs. I do not think that can be established, and therefore we are starting from a false basis in dealing with the mortality question.

Hon. Sir RICHARD SCOTT—I do not attribute the mortality to typhoid.

Hon. Mr. DOUGLAS—I understand that is the basis of the hon. gentleman's argument.

Hon. Mr. DANDURAND—No, no.

Hon. Sir RICHARD SCOTT—I was speaking of the necessity of the government looking after the health of the people.

Hon. Mr. DOUGLAS—I am speaking of the health of the people, and if we start with the assumption that the pollution of the streams is the cause of the excessive mortality amongst children it is a mistake.

Hon. Sir RICHARD SCOTT—It is merely one element.

Hon. Mr. DOUGLAS—My argument is just in the line of the Bill and the speech that has been made upon the Bill.

Hon. Mr. BELCOURT—I never used that argument.

Hon. Mr. DOUGLAS.—We might purify all the streams in the Dominion of Canada, great and small, and the mortality that now exists would not be modified to any great extent. That is what I firmly believe because I made it a subject of special study for years and I have gone into the whole chemical question connected with the subject. I venture to say that the actual reason why we have so much mortality among the children is not impure water so much as improper food, and food given to them at a period in life when nature has not given them the ability to deal with it. When a child is sufficiently matured it is able to digest a certain kind of food, then Provi-

dence gives it the wherewithal to deal with the food that is given. I appeal to every medical man present in the House to-day if it is not a fact that in their experience that only the most robust and strongest constitutions are able to cope with the difficulties that the medical man is called upon to deal with. The child survives, it may be, because it has superior strength of constitution and power to assimilate the food that is given to it, it may be in kindness, although it is really not so. You cannot supplant the mother's milk with the cow's milk because it contains an element that the child cannot deal with in its mastication and assimilation, the cheesemaking property, which lies upon the stomach as an indigestables mass and trouble ensues. It produces indigestion and it decomposes in the bowels. Before you could convince me that typhoid ensued from that cause you would have to show there was ulceration of the bowel caused by the typhoid germ. We never look for anything of that kind in such cases because we do not suppose such an effect would be produced from that cause. But we expect to find decayed food in the bowels, and the consequence is the child dies day by day from actual starvation, or inability to assimilate the food that is given to it and in my opinion—and I have yet to see reasons why I should change it—the purification of the streams of itself will do very little towards prolonging the life of our Canadian infants. I do not oppose the purification of streams of water in the slightest. Do all you can along that line, but let us be intelligent and let us not overlook that fact that the remedy we are going to apply will mean an enormous expense, without any proof that it will produce the results expected. In my opinion the arresting of the progress of disease and death in infancy should be undertaken from an entirely different standpoint.

Hon. Mr. McMILLAN—There is only one answer to the question and that is that typhoid fever, with very rare exceptions does not occur with children.

Hon. Mr. DOUGLAS—I am only expressing the opinion of the medical faculty to-day, and I am speaking in the light of my own experience. I had the privilege of seven years hard work in a tropical climate, where it is almost impossible to get children through the period of infancy owing to the intense heat and the difficulty of getting proper food for them. In India to-day you will find acres upon acres of little graves side by side in great rows. The fact is that nearly all the children of British born residents in that country are sacrificed in their infancy.

Hon. Mr. WILSON—Are the springs contaminated there worse than in any other country?

Hon. Mr. DOUGLAS—They are not very clean, and I am glad that the provinces of this country are willing to take the suggestions in that connection which have been given by our committee, and from the Commission on Conservation. They have accepted the hints that have been thrown out and are willing to adopt the principle of looking strictly after the purification of the streams in the west. I am glad to see that Saskatchewan and Alberta are most hearty in their support of it, but before this Bill is placed upon the statute-book I think there are some questions which require vestigation and consideration. I have made these remarks with perfect honesty and sincerity and I have yet to be convinced that I am not right.

Hon. Mr. McMULLEN moved the adournment of the debate.

The Motion was adopted.

THE SALE OF BREAD BILL.

SECOND READING.

Hon. Mr. CASGRAIN moved the second reading of Bill (D), an Act respecting the sale of bread. He said : The purpose of the Bill is to regulate the weight of bread and provide also that scales be kept where bread is offered for sale in order that any one purchasing a loaf may have it weighed if he so desires. The opinion of a great many people is that they are not getting the proper weight. Bills similar to this have been passed by the legislatures of Ontario, and Québec, but the weight and measures of this country are properly

under the jurisdiction of this parliament. I hold in my hand the Revised Statutes and I find that the Inspection and Sale Act regulates almost all articles of food. Some time ago we regulated the weight of a bag of potatoes, even going so far as to make an exception in the case of the province of Quebec, where a bag of potatoes is only 80 lbs. We also regulate the weight of barley, buckwheat, oats, and other grain. There is no doubt that weights and measures are within the jurisdiction of this parliament. The fourth clause deals with the penalty for infringement of the Act.

Hon. Mr. LOUGHEED—Will my hon. friend say why he did not make this an amendment to the Inspection Act instead of introducing it as a separate measure?

Hon. Mr. CASGRAIN—The Sale and Inspection Act is a very large and cumbersome measure. I took legal advice on the subject and was told it was better to make it a separate Act, because there are so many sections in the law on the subject of weights and measures that it might make it more difficult in operation. In the Sale and Inspection Act you provide for the weight of grain, fish and other things, and it might mix it up and make it unworkable or more difficult to be understood. I was advised that it was better to bring in the Bill as I have introduced it.

Hon. Mr. THOMPSON—On reading the Bill, I find that the provision for weighing the bread requires that it shall be weighed where manufactured. I do not believe that there is one loaf in five hundred that is purchased where the bread is made.

Hon. Mr. CASGRAIN—I can give all the explanations necessary when the Bill is referred to a Committee of the Whole. It is the principle of the Bill that we are discussing now.

Hon. Mr. CLORAN—I am quite in accord with the hon. gentleman who has introduced this Bill. The bakers in this country do not give proper weight. Their pound loaves weigh 14 oz., and that is the case with very prosperous bakers. The point raised by the hon. gentleman from New Brunswick is right—the bread should be weighed where it is sold to the consumer. That is a matter which can be dealt with when the Bill is considered in committee. We should require every man who sells bread to weigh it if the purchaser wants to have it weighed, and I would provide that every bread cart should carry scales.

Hon. Mr. CAMPBELL—Nobody buys a six-pound loaf of bread.

Hon. Mr. CLORAN—They do in Quebec.

Hon. Mr. CAMPBELL—A small family would not want a six-pound loaf. Subsection 2 of clause 2 provides that small bread may be offered for sale in loaves not exceeding 12 ozs. That leaves a loop-hole to enable bakers to sell bread under weight. I think the Bill is badly drawn and that it is a matter which should be dealt with by the provinces. In Ontario the legislature has devoted a great deal of time and attention to regulating the weight of bread.

Hon. Mr. CASGRAIN—If the hon. gentleman is not opposed to the principle of the Bill I think it is better to let it go to the committee, where we can deal with the details.

Hon. Sir. MACKENZIE BOWELL—Has the hon. gentleman consulted the laws that are on the statute-books of the different provinces regulating the weight of bread, and does he know if this measure will conflict with the local legislation? If so, will this measure be substituted for the local laws? If the local legislatures have no constitutional right to pass Acts of that kind, then his Bill, if it becomes law, will be substituted for all the local legislation dealing with the subject.

Hon. Mr. CASGRAIN—I have the statutes of Ontario and Quebec, and this Bill is drafted on the same lines as the local legislation on the subject. It is to remove all possibility of doubt. If the local authorities want to make the violation of the law a criminal offence they must come to us.

Hon. Mr. DERBYSHIRE—If bread is sold the day it is made, the probability is the weight would be all right; if it is held over until the next day it might lose two oz. in weight.

Hon. Mr. CASGRAIN—That is another point. The weight of the bread should be as it is eight hours after the making when it is cold and the loaf reaches its normal weight.

Hon. Mr. CLORAN—The shrinkage in weight is very small, not more than a quarter of an ounce.

Hon. Mr. WILSON—Has the hon. gentleman taken any precaution to ascertain whether this Bill comes under the jurisdiction of the Dominion parliament?

Hon. Mr. CASGRAIN—The Bill is drawn on the lines of provincial legislation and is for the purpose of making it operative.

Hon. Mr. WILSON—That is no answer to my question. I asked whether it is or is not under the jurisdiction of the parliament? I want to know if it is an encroachment on the rights of the provincial legislature.

Hon. Mr. CASGRAIN—I explained that it was within the jurisdiction of this parliament.

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

SENATE AND HOUSE OF COMMONS AMENDMENT BILL.

SECOND READING POSTPONED.

The order of the day being called Second Reading Bill (C) An Act to amend the Senate and House of Commons Act, Hon. Mr. Thompson, in the absence of Hon. Mr. Domville, moved that the order of the day be discharged and that the second reading be fixed for Tuesday next.

Hon. Sir. MACKENZIE BOWELL—It seems to me that this is a money Bill and affects the revenue. If his hon. the Speaker decides that it is open to that objection, there is no necessity of keeping it on the notice paper. If it is not a money Bill we can go on and consider it.

Hon. Mr. THOMPSON—I think the hon. gentleman is right in his objection since the Bill involves a question of expending public funds; but in the absence of the mover of the Bill I thought it best to ask for a postponement of the second reading.

Hon. Mr. CASGRAIN—Indemnities are not in the nature of a salary.

Hon. Sir. MACKENZIE BOWELL—I do not desire to press the objection under the circumstances. The order can be postponed and the point decided later.

The motion was agreed to

SESSIONAL EMPLOYEES OF THE SENATE.

The SPEAKER read a letter from the Auditor General as follows:—

Please send me authorized list, duly approved by Speaker, of sessional employees for the present session.

He said: I will lay this letter on the table of the House where every hon. member can see it, and I ask them to read it carefully. I did not like to take a stand in the matter until I had the opinion of of the House.

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

THE SENATE.

THURSDAY, November 30, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

CANADA'S POSITION IN THE EMPIRE.

INQUIRY POSTPONED.

The notice of Motion being called:

Hon. Mr. CASGRAIN:

That he will call attention to the following report from the Montreal 'Gazette,' of remarks made by Mr. C. H. Cahan, a prominent supporter of the government, at a meeting of the Canadian Club on Monday, the 27th of November, 1911, and shall ask if these sentiments expressed by Mr. Cahan are concurred in by the government:

MUST PROGRESS OR SEPARATE.

'If that were to be the last word to be said with regard to the development of constitutional government in this empire with regard to giving to these colonies capable of intelligent self-government the right of full liberty and representation in Imperial affairs,' declared Mr. Cahan with strong emphasis, 'then I for one would be willing to devote my life and such powers as I possess, although I love the empire and am an Imperialist by blood and education, I would give the rest of my life to carrying this country out of the empire.' (Applause.)

Hon. Mr. CASGRAIN asked that the notice be allowed to stand until Tuesday next.

Hon. Mr. LOUGHEED—May I ask my hon. friend what his reason is for asking to have this matter postponed?

Hon. Mr. CASGRAIN—I thought it was a very serious matter, and that I would not press the government to give an answer in 24 hours after the notice was given. I wanted to give them time to make up their minds. I thought the government might like, in their own interest, to let it stand until next week. If any prominent supporter of the government wishes to carry Canada out of the empire, it is a matter of very serious consequence and the government should consider it carefully. I thought, therefore, it would be better to let this notice stand.

Hon. Mr. LOUGHEED—The question is manifestly irregular. The government is no more responsible for what a private citizen may say, than for what my hon. friend might say, and it would be very sorry to assume a responsibility of that kind. This has nothing whatever to do with the government, or anything for which the government would be responsible, and I simply point out the irregularity of it to my hon. friend in order that he may withdraw his notice.

Hon. Mr. CHOQUETTE—Was he not representing the government ?

Hon. Mr. CASGRAIN—The question is whether the government concur or do not concur in the sentiment expressed by one of their prominent supporters; but I am quite willing to let the notice stand until next week.

The notice was postponed.

POLLUTION OF NAVIGABLE WATERS BILL.

SECOND READING.

The order of the day being called:

Resuming the adjourned debate on the motion for the 2nd Reading Bill (A). Intituled 'An Act respecting the Pollution of navigable waters.

Hon. Mr. McMULLIN—I consider this to be such an important Bill that I do not like it to pass its second reading without saying a few words upon it. I am in entire accord with the proposition made by the hon. gentleman from Ottawa regarding the necessity and desirability of preserving the purity of our navigable streams. I agree with the view that parliament has only control over the navigable waters. It is our duty to set a good example before the provinces in endeavouring to preserve the purity of those waters, and we have not moved a moment too soon. The condition, for instance, of water in the United States is such that it is becoming a matter for very serious consideration with them. All their streams appear to be so polluted that they are entirely unfit for domestic use. Take for instance the Mississippi river. The water has been so polluted that, as has recently been discovered, many of the diseases that have broken out in the city of St. Louis are due to the pollution through the flow of sewage from the city of Chicago into that stream. In the United States the use of light beer is becoming more common in large cities than it was years ago, largely owing to the belief that it is not safe to drink the water. The amount of beer consumed in the United States in 1900 was thirty-nine million barrels.

Ten years after that, in 1910, the amount of beer consumed in the United States was 56,500,000, or seventeen and a half million barrels more than in 1900. It is generally believed that the enormous increase in the consumption of beer is largely due to the general fear that the water is so polluted that it is not safe to use it. We in Canada have not reached that condition, and I think it is well to take some steps to prevent it. The sewage of Glasgow, and many cities in Europe is put through a process that produces a valuable fertilizer, which is sold, and the receipts from the sale covers the expense of the disposal of the sewage, and the lands are benefited by the use of the fertilizer. Some such process could be adopted for the disposal of sewage in this country. We are beginning to realize that our lands are becoming impoverished by continuous cropping, and if farmers who live upon the shores of rivers could be induced to adopt some method that would use the sewage from their farms, instead of draining it into

the rivers, and polluting them, it would be a decided advantage all round. I think the Bill before the House deserves very serious consideration, and I hope that it will become law in some shape. Let us make a beginning. I was very much struck with the speech delivered by the senior senator from Ottawa, (Sir Richard Scott) yesterday. It was full of information, facts and figures, which are well worth knowing, and the evidence that he produced to the House, of the results that followed the pollution of waters, deserves serious consideration. For these reasons I hope the Bill will get a second reading, that it will go to committee, and that it will be reported back, although perhaps not in the form in which it now appears. Let us take a step in the right direction, and from year to year we can amend as we find that amendment is necessary. I have no doubt the provinces will cordially co-operate with the Dominion in any step that they may take to purify our streams and keep them purified. It is a national necessity that we should take some action at once. We did not begin soon enough, but it is better late than never. Other countries are suffering from abuses which they have permitted to exist from year to year, resulting in the poisoning of their streams, and it is time we took warning and made an effort to preserve ours. I am heartily in accord with the movement and I shall do anything in my power to assist my hon. friend in passing the measure.

Hon. Mr. DE VEBER—I spoke at some length last year, and I spoke very fully when the report of the committee of this House appointed to investigate the subject was presented. We took the evidence of the best experts we could obtain in the country. Our report was accepted by this House and referred to the Conservation Commission. They called a meeting of representatives of the different provinces and discussed the matter fully. The result was that it led up to something that benefited the country. A board of health was formed with the object of conserving the public health, which is the greatest asset of any country. They held a meeting of the representatives of all the different provinces, and it was found that the provinces practically did not want the responsibility of looking after the public health. They did not want to have it in their hands at all. It had been practically forced upon them by the inaction of the federal government, and they took no action till the year 1882, when Ontario passed a public health Act. Since then the different provinces have taken up the question, and of necessity passed laws in regard to the matter. I hold that the federal government has a perfect right to deal with the question, because everything which is not mentioned in the British North America Act as being relegated to the provinces, belongs to the federal government, and there is no mention whatsoever made in the British North America Act of the conservation of the public health. It states that every province must provide hospitals, charitable and eleemosynary institutions, which are for all purposes poor houses. No mention whatsoever is made of public health. If a pauper is sick the province is supposed to look after him. Under the British North America Act the subject really belongs to the federal government. Each province has a Health Act, and if we look through every one of these Acts we will find that they are almost identical with the Bill which my hon. friend has introduced in the Senate. In each one of the acts there is some little difference. For instance we will suppose that Ontario has an Act in this regard and Quebec has one slightly different. Here is a river running between the two provinces. What is the use of Ontario preventing the defiling of the Ottawa river if Quebec still does it? Then to go further, we have international rivers. No province can make an agreement with the United States. It must be made by the Dominion government, and the only way we can prevent the pollution of the international streams is by a uniform law being passed by both countries in regard to the drainage of sewage into these streams.

Hon. Mr. CLORAN—Reciprocity.

Hon. Mr. DE VEBER—So that it is necessary that the preservation of public health in every way should be left to the federal authority. Our action in holding an investigation has borne good fruit.

Our action in holding our investigation has borne good fruit. On the recommendation of the Conservation Commission, a Board of Health was formed. They meet at Ottawa each year and advise the government as to what is the best course to pursue. The late government went so far as to agree to have—I do not know exactly what you might call it—but a body of experts attached to one department, who would go so far as to manufacture anti-toxine, vaccine, and several other specifics that are sold in the country. Having gone that far, I think if pressure is brought to bear they will proceed further. I know that the provinces are only too willing to hand this question over to the federal government, and the federal government is the only body that can act effectively, because any health laws to be effective, must of necessity be uniform all all over the country. I feel that it would be very much in the interest of public health if this Bill were passed, in order that the attention of the government may be again called to the imperative necessity for such legislation.

Hon. Mr. ROSS (Halifax)—The hon. senior member from Ottawa deserves a great deal of credit for the amount of research he has made and the valuable information which he has submitted to the House. I doubt very much whether the Bill, in its present shape, will tend to improve the condition of things in the way he expects, but it may be amended in committee. Statements have been made as to the purity of the Ottawa river. I deny the statement that it is pure. It is the impurity of the river that caused all the trouble here years ago. If you want to have pure water in this city you must take it from McGregor lake and the other lakes of the system close by, because they are elevated much above the city, and a large pipe could be laid from the outlet of those lakes to the banks of the Ottawa river and the water would be forced through the service pipes by gravity pressure to the highest elevation in the city. Then you would have pure water which would satisfy the people. In Halifax we have the best water system in the world. It has been recently tested and proved to be pure. The lakes are elevated high above the town and the water comes down in large pipes to Water street, and then goes up again in small pipes to all parts of the city. That would be the result in Ottawa if you took the water from McGregor lake, and the lakes adjoining it and brought it to the city. I do not believe that you will succeed in obtaining pure water from the Ottawa river.

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

Hon. Mr. YOUNG—When this Bill was before the House last session it was referred to the Committee on Public Health. The promoter is not present to-day and I hardly know what course we should take.

Hon. Mr. POWER—My hon. friend might move that the Bill be referred to the Committee on Public Health.

Hon. Mr. YOUNG moved that the Bill be referred to the Committee on Public Health.

Hon. Mr. McMULLIN—It is hardly fair to the promoter of the Bill that we should deal with it in this way without first allowing him to say what his wish would be. A reference of the Bill to a Committee of the Whole House was spoken of during the discussion, and the promoter should be given an opportunity to decide whether it would be better to have it dealt with in that way or not. It would be better to leave the Bill until he can deal with it himself.

Hon. Sir MACKENZIE BOWELL—I would suggest to the hon. gentleman who has moved the motion that it should be allowed to stand as a notice until to-morrow, when the hon. member will no doubt be present.

The SPEAKER—The better way is to adjourn the debate on the motion.

The debate was adjourned until to-morrow.

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

THE SENATE.

FRIDAY, December 1, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

HOUR OF MEETING OF SENATE.

MOTION.

Hon. Mr. YOUNG moved:

That until differently ordered by the Senate, the hour of meeting of the House on Friday shall be half past two o'clock in the afternoon.

Hon. Sir MACKENZIE BOWELL—I think there is a provision that requires certain notice to members of any proposed change in our rules. I do not object to the principle involved, but we should adhere to the rules. Is this not in contravention of the rules of the House?

Hon. Mr. YOUNG—I wish to point out this distinction: When a change is made in a rule of the House, and a new rule is proposed, it is absolutely necessary to adopt a different procedure. As the hon. gentleman has mentioned, the members should have special notice. But this merely makes a temporary sessional order which may be changed at any time if the Senate desires to revert to the old rule. It is a procedure that has been adopted for many years in the Senate—making what is called a sessional order.

Hon. Sir MACKENZIE BOWELL—I admit the correctness of the statement made by the hon. gentleman, but we have been acting in contravention of that rule by meeting fifteen or twenty minutes before the usual time. The rule distinctly provides that the Senate shall meet at a certain hour every day. This proposal would change that rule and why should we not take the regular and legal method of making the change? If practice is to become law and change the rule then we must accept it; otherwise I do not think the reasoning of my hon. friend is in accordance with his better judgment.

Hon. Mr. LOUGHEED—Would my hon. friend state to the Chamber the reasons which led him to propose that this rule should be changed and that we should meet at two thirty instead of three o'clock on Friday?

Hon. Mr. CLORAN—The only reason is one of comfort and ease for senators who reside in Montreal, Toronto, Kingston, Belleville and other places, and who desire to catch the afternoon trains on Fridays.

Hon. Sir MACKENZIE BOWELL—It does not affect Belleville or Toronto.

Hon. Mr. YOUNG—It is a matter of convenience simply, to meet on Friday at half past two, to enable a reasonable amount of business to be transacted, so that the members to whom my hon. friend refers should not be so hurried as they were formally. The House of Commons meets at two o'clock on Wednesday for convenience. We had this rule in operation last year and it was found to work very well. There were no objections to it.

Hon. Mr. CAMPBELL—Would it not be more seemly if the leader of the House gave notice that when the Senate adjourns on Thursday it stand adjourned till the following Tuesday. It seems to me a farce that for the sake of the convenience of a few the rule should be changed as proposed. I think that would add to the dignity of the House and the business of the country would not suffer.

Hon. Mr. CLORAN—Then the Montreal men would want to leave at half past two on Thursday.

Hon. Mr. POWER—It seems to me that the hon. member from Killarney (Hon. Mr. Young) is mistaken in his remembrance of last session. My remembrance is that the Speaker when announcing the adjournment on Thursday afternoon announced that the Senate was adjourned until to-morrow at three o'clock sharp in the afternoon. It was not half-past two. Then we have to consider that we have not very many days on which the Senate meets. We have only one representative of the government in this Chamber, and that hon. gentleman cannot be here and in council at the same time. He cannot reach here till a few minutes after three o'clock. I do not see why we should be continually altering our practice to con-

venience half a dozen gentlemen who are anxious to get away on a train that leaves shortly after three. If hon. gentlemen do not wish to remain here and attend to the business, they can put in an appearance at prayer, which they perhaps need somewhat, and then take the train to Montreal. The members from Toronto and other western places are not affected by this motion. If the members of this House received no indemnity for their services, I could readily understand that we should be justified in putting ourselves to as little inconvenience as practicable; but we receive what I consider a very handsome indemnity, and the country expects us to be here and to do our work just the same as the Commons do. It is highly discreditable to this House and calculated to lower the Senate in the estimation of the public that we should be continually altering our rules with respect to adjournment.

Hon. Mr. LOUGHEED—In corroboration of the statement of the hon. member from Halifax, last session we met sharp at three on Fridays, and that seemed to meet the requirements of the hon. gentlemen from Montreal. They were able to make their departure in time to catch the train.

Hon. Sir MACKENZIE BOWELL—I rise to a question of order. I want to know whether this motion is in accordance with the rules?

The SPEAKER—This is governed by rules 29 and 30. Rule 29 refers to the making of a standing rule or order. Rule 30 refers to the suspension of any rule or standing order. I consider this motion as creating not a standing order, but a sessional order, and it may be moved on one day's notice. It does not interfere with the changing of our rules; it is rather a suspension of a standing order.

The Senate divided on the motion, which was rejected on the following vote.

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Hon. Sir MACKENZIE BOWELL—I call attention to the fact that the hon. gentleman from Ottawa has not voted.

Hon. Mr. BELCOURT—I did not vote because I live in Ottawa all the year round and I do not think I should vote on a question of this sort. If I had voted I would have supported the motion.

Hon. Mr. CLORAN—Do I understand, after the decision of the House to-day, that hereafter the House shall meet at three o'clock sharp instead of a quarter past three?

The SPEAKER—If the hon. gentleman wants an answer to that he should give a day's notice. The rule of the House is that the House shall meet at three.

Hon. Mr. CLORAN—Do I understand from the Chair that the House will hereafter meet at three o'clock sharp?

Hon. Mr. POWER—I suppose whenever it is three o'clock by the Speaker's timepiece.

Hon. Mr. CLORAN—Then the Speaker should be in the Chair at three.

Hon. Mr. DERBYSHIRE—The Speaker will come in when he gets ready.

POLLUTION OF NAVIGABLE WATERS BILL.

REFERRED TO COMMITTEE.

The order of the day being called:

Resuming the adjourned debate on the motion that (Bill A) intituled: 'An Act respect-

ing the Pollution of Navigable Waters,' be referred to the Standing Committee on Public Health and the Inspection of Foods.—Hon. Mr. Wood.

Hon. Mr. WOOD—This order stands in my name merely. I do not wish in making the motion to be understood to agree with the Bill in its present form. It appears to me to be unworkable altogether. I scarcely see how we can by legislation, or by any regulations which the Minister of Agriculture can make under this measure, purify the streams and rivers under the jurisdiction of the Dominion. It would be too serious a task. The rivers are the outlets provided by nature for carrying away the refuse from the country and through the province from which I come the whole population drain their refuse into navigable rivers. It may be discharged into small streams in the first place, but it is in that way carried into the navigable waters. In the country districts the drinking water is usually obtained from springs or wells, and not until the country becomes fairly well settled do we get our drinking water from any other source. In the small town where I live, we get our drinking water from a brook which is supplied by springs. We have as good water as can be had anywhere. The sewage of the town is discharged into the navigable river. I do not know of any other way in which the sewage could be disposed of. It would appear to me, if this legislation were passed, that in a community such as that in which I live, there would be far more danger to the public health from cesspools and other devices of that kind which the people would have to adopt for taking care of the sewage, than there is from the water used under present conditions. We have never had any trouble arising from our drinking water, and I know of no case in the province of New Brunswick where a complaint has been made except some years ago regarding the city of Fredricton discharging its sewage into the St. John river. I do not know if it affected the health of the people below Fredericton or not, but some legislation was adopted by the local legislature which I believe has resulted in the city of Fredericton making some arrangements to purify their sewage.

Hon. Mr. THOMPSON—No.

Hon. Mr. WOOD—I may be mistaken, but I thought that was the result. I do not want to commit myself to the principle of the Bill in making this motion. I fully sympathize with the object which the mover of the Bill has in view in bringing in this measure, and if it is referred to the committee I should be glad if something could be suggested to meet the object which he has in view.

The SPEAKER—I beg leave to call the attention of the House to the nature of the motion which is before the Chair. The question is to refer the Bill to the Standing Committee of Public Health and Inspection of Foods. The second reading has taken place, and the principle of the Bill has been adopted by the House. The reference to the committee was postponed because of the absence of the mover of the Bill, so that he could decide whether it should be referred to a Committee of the Whole House or to the Standing Committee on Public Health. I think that decision should be made now.

Hon. Mr. WOOD—My name being connected with the Bill, I made the observations I did to show that it was done in that qualified way.

Hon. Mr. CLORAN—If the promoter of the Bill is not prepared to make a motion referring the measure either to the Public Health Committee or to the Committee of the Whole House, then I am in sympathy with the suggestion of the hon. gentleman from St. Thomas (Hon. Mr. Wilson) that it should be referred to a Committee of the Whole. If the hon. promoter of the Bill has anything special in view, or expects to present evidence to the committee, I would not oppose his motion. There are many sections in Canada where pollution of a stream does not in the least interfere with public health. It would be a great disaster, a great inconvenience and a matter of great expense to cities like Montreal, Three Rivers, Quebec and Rimouski, and all these other towns along

the St. Lawrence to have to provide some new system for the disposal of their sewage. At Montreal the river runs from eight to ten miles an hour, and the river down to Lake St. Peter is two miles wide. The sewage dumped into so large a stream would not pollute the water. The further you go from Montreal towards Rimouski and the other points, the less danger there is in allowing sewage to be drained into the river. Although this Bill is in order, and is along the lines of public health, it would interfere with the natural advantages possessed by many cities of the Dominion. At present I am referring to the province of Quebec. The hon. gentleman from Westmorland spoke for New Brunswick, and I believe the same thing could be said in regard to many of the streams in Nova Scotia and Prince Edward Island, and British Columbia, where the current is anywhere from two to five and ten miles an hour, with high tides. In those localities the sewage would not pollute the water sufficiently to endanger public health.

Hon. Mr. McSWEENEY—How about Ottawa?

Hon. Mr. CLORAN—Poor Ottawa. The waters were polluted years ago. The saw dust thrown into the river has done more to injure public health than all the sewage that has been dumped into it. If this Bill is made applicable to every city in the Dominion it will result in great inconvenience and unnecessary expenditure. I admit there are streams into which sewage should not be dumped, and there should be a provision that even in large navigable streams like the St. Lawrence and other rivers in New Brunswick, Nova Scotia and British Columbia, the sewage should not be dumped within a mile of the intake pipe, on the down grade and not above it. In the Ottawa river the intake pipe is under the level of all the sewage that comes down from the upper country. That is not the case in Montreal, Three Rivers, Sorel, Rimouski or Point Lévis, or any of the towns along the St. Lawrence. The Bill, although good in itself, might injuriously affect a large section of the Dominion.

Hon. Mr. CLORAN.

Hon. Mr. DAVIS—After the speeches of the hon. gentlemen from Westmorland (Hon. Mr. Wood) and Ottawa (Sir Richard Scott and Hon. Mr. Belcourt) I feel inclined to support the resolution to submit the matter to the Public Health Committee, where expert evidence can be given. The hon. gentleman from Victoria (Hon. Mr. Cloran) said there was no danger of disease from the use of the water of the St. Lawrence below Montreal. I should like to have some evidence as to the correctness of that statement. The hon. gentleman from Westmoreland said that if some cities did not drain the sewage into the streams it would cause serious trouble in places where there were no other means to dispose of it. I think there is another way to dispose of it and this Bill is a step in the right direction. Before this measure would be brought into force it would be necessary to pass an order in council or issue a proclamation. Before the government would take such action they would consider all the phases of the question, and make the Bill applicable only where it was absolutely necessary. We know what has happened in Ottawa, Prince Albert and other places. The Saskatchewan is a large river, very swift and very few towns on it. We had an epidemic of typhoid there which resulted in a number of deaths, and the typhoid was caused by our own sewage. It is an important matter for the health of the people, and we should deal with it thoroughly, and obtain all the expert evidence possible before the committee.

Hon. Sir MACKENZIE BOWELL—I think the objection taken by the hon. members from St. Thomas (Hon. Mr. Wilson) and Victoria Division (Hon. Mr. Cloran) can easily be met. Refer the Bill to the Committee on Public Health, and they can inquire as to the effect which its provisions will have upon navigable streams and the various cities situated on them. To my mind some of the provisions of the Bill are impracticable, and when the report is made from the Committee on Public Health we can move to refer the matter to a Committee of the Whole, and have a discussion on the merits of the measure. The views of the

hon. members from St. Thomas and Victoria can be met in that way, which I think is a sensible course to pursue.

Hon. Mr BELCOURT—The motion to refer the Bill to the Public Health Committee was not made by me. I am entirely in the hands of the House. I naturally wish to have the matter expedited as much as possible, and no doubt the Committee of the Whole would be the most expeditious method. However, if it is the general desire to have it referred to the Public Health Committee, I am quite satisfied. The hon. gentleman from Victoria division, speaks for the province of Quebec. I am not going to enter into discussion of the scientific observations which he has made as to whether typhoid and other germs are destroyed by a current of eight or ten miles an hour; but I think a higher authority in the province of Quebec, than my hon. friend, has spoken on this question. Dr. La Chapelle of the Provincial Board of Health has stated that he approves of the Bill and undertakes to do all in his power to carry out its provisions if it becomes law. The provinces of Quebec, Ontario, Saskatchewan and others are all in favour of the Bill.

Hon. Mr. WILSON—I have no inclination or desire to obstruct the reference of the Bill to the Public Health Committee, if it is the wish of the Senate to do so. We could better obtain expert evidence there than in the House; but we must remember that as far as typhoid fever is concerned the committee might bring in a report and not be in a position to say definitely whether typhoid fever originates from the use of river water, or spring water, where decayed animal or vegetable matter might exist. We are all aware that typhoid fever exists in the newer sections of the country, where there is no contamination of the rivers or streams any more than what may naturally exist. In any district where new earth is thrown up, and wells are dug, there will be contamination of the water and typhoid, perhaps more than arises from the pollution of a river. I withdraw my objection to the reference of this Bill to the Public Health Committee, and will do all in my power to assist in obtaining information

Hon. Mr. CLORAN—I ask that the motion be amended so as to read as follows:

That this Bill be referred to the special Committee on Public Health, and that their report be submitted to a committee of the Whole House afterwards.

Hon. Mr. YOUNG—The usual practice is to take one stage at a time. If the Bill is sent to the Public Health Committee and reported back to the House it will be for the Senate to decide what the next step will be.

Hon. Mr. WOOD—If the report from the Public Health Committee is satisfactory, it would not be necessary to refer the Bill to a Committee of the Whole.

Hon. Mr. DE VEBER—If any hon. friend desires to be in a position to discuss this matter intelligently, let him obtain the report of the Public Health Committee issued three years ago. All the leading experts of Canada were called before the committee, and their evidence was taken, printed and published. I should like hon. members to read that evidence, and discuss the matter in the light of the present day, and not according to conditions existing forty or fifty years ago—not from the point of view whether a few dollars can be saved in this way or that, but as to whether lives can be saved. It is not a question of money, but one of health.

The motion was agreed to.

The Senate adjourned till Tuesday next at three o'clock.

THE SENATE.

TUESDAY, December 5, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

REMARKS OF MR. CAHAN.

INQUIRY.

The order of the day being called:

Hon. Mr. CASGRAIN:

That he will call attention to the following report from the Montreal 'Gazette,' of re-

marks made by Mr. C. H. Cahan, a prominent supporter of the government, at a meeting of the Canadian Club on Monday, the 27th of November, 1911, and shall ask if these sentiments expressed by Mr. Cahan are concurred in by the government:—

MUST PROGRESS OR SEPARATE.

'If that were to be the last word to be said with regard to the development of constitutional government in this empire with regard to giving to these colonies capable of intelligent self-government the right of full liberty and representation in Imperial affairs,' declared Mr. Cahan with strong emphasis, 'then I for one would be willing to devote my life and such powers as I possess, although I love the empire and am an Imperialist by blood and education, I would give the rest of my life to carrying this country out of the empire.' (Applause.)

Hon. Mr. CASGRAIN—Is the hon. leader of the government ready to give me an answer to question No. 1?

Hon. Mr. LOUGHEED—I was under the impression that I gave my hon. friend an answer the other day. My answer today will be a similar one, and it will be found in the Debates.

Hon. Mr. CASGRAIN—I submit that I did not receive an answer the other day. The leader of the House simply said that the government were not responsible for what Mr. C. H. Cahan, K. C., said any more than they would be for what I said. That was not an answer to the question I asked. I inquired whether or not the government concurred in the sentiments which were expressed by Mr. Cahan before the Canadian Club, in the presence of some five or six hundred people, a great number of them being supporters of the present government. Mr. Cahan was one of their most prominent supporters, and the first English disciple of Monsieur Henri Bourassa the master of the present government, and I asked the hon. leader of the Senate whether the government concurred in what their own supporters said in regard to carrying this country out of the empire; and, if so, where are Cahan and Henri Bourassa going to carry it? I have had no answer to that question so far.

Hon. Mr. LOUGHEED—I have no desire to occupy the time of the House by answering questions of this character. If my hon. friend were familiar with parliamentary practice he would not have placed this notice of motion on the Order Paper. On the face of it, it is clearly irregular. The government is in no sense responsible for what individuals outside of the government may say on any question.

Hon. Mr. CASGRAIN—We will let it stand.

Hon. Mr. LOUGHEED—No, we will not let it stand. I propose that it shall be struck out of the Order Paper.

MANITOBA SCHOOL QUESTION.

INQUIRY.

Hon. Mr. DAVID inquired:

Has the question of the schools of Manitoba been considered in the formation of the government, and has there been any understanding in respect thereof?

Hon. Mr. LOUGHEED—In 1897 the late Prime Minister informed parliament that this question had been satisfactorily settled between the government of Canada and the government of Manitoba.

THE LEGISLATION OF PARLIAMENT.

MOTION.

Hon. Mr. POPE moved:

That in the opinion of the Senate the initiation of private and public legislation ought to be more equally divided between the two Houses of parliament, with a view of curtailing the length of the sessions, but more particularly to prevent in future the deprecating custom known in parliamentary parlance as 'the railroading' of important measures at the end of a session;

Resolved, that a copy of this resolution be transmitted to the House of Commons with the request that they join with the Senate by means of a joint committee of both Houses to devise measures by which such a result could be obtained.

He said: The motion standing in my name is sufficiently clear and well defined to render it unnecessary that I should speak on it at any great length. I also understand that the subject is not new in the Senate. The propositions contained in this motion have been moved in this House on former occasions, and while the result may not have been all that was desired, there is no reason why we should not urge a new government and a new parliament to pay some attention to our

views in the Senate in order that the business of parliament may be more efficiently and expeditiously done. I am sure the older members of the Senate will realize better than I do that as the session comes towards an end, measures are not only railroaded through the House of Commons, but are carelessly dealt with, and sent up here in a condition that is not in the interest of legislation, resulting in a great deal of litigation, but they are submitted to the Senate of Canada in the last hours of the session when there is no opportunity to deal with them as they ought to be dealt with. The result is imperfect legislation which leads to litigation throughout the length and breadth of Canada. The Senate is increasing in numbers and becoming a more important body. The legislation of Canada is also increasing in bulk as the country grows, and the congestion that has taken place in the House of Commons of late years must be intensified in the future. If the measures sent to us from that House in the past have not been in the form and condition they ought to have been, we have very little hope, if some change is not made in the mode of dealing with our legislation, that the same difficulty, only intensified, will not take place in the future, causing the public great loss. Viewing the matter as I do, I have placed on the Order Paper a resolution calling for the formation of a joint committee of the two Houses of Parliament, to see if we cannot devise some scheme by which private and semi-public legislation will be given to this branch of parliament at an earlier date, that we may be able to do more effective service to the country and produce better legislation than we can under existing conditions. I also take the opportunity of impressing upon the people of Canada this fact, that if we are not busy all the time it will not be our fault—it is not because we have not applied to have business sent to us in the early part of the session. I feel sure that if this matter is pressed to a proper conclusion we will have something like the same result that was attained in the United States when they formed a joint committee of the two Houses of Congress to deal with legislation. I understand that there is a wide difference in the operation of the legislative bodies of the two countries; still we may be able to gain, by a closer study of this question, information from that source and a committee of the two Houses ought to be able to solve the problem of giving the Senate legislation at an earlier stage of the session, to the great advantage of Canada and the convenience of the people seeking legislation. If promoters of Bills discover that measures brought to this House early in the session are better looked into and better opportunities are afforded to put them in proper shape, those who seek legislation will follow the way of least resistance and come first to this Chamber. If we can get this committee I feel that some good may be done, and the usefulness of the Senate may be increased to the great benefit of Canada.

Hon. Mr. DAVID—Having last year proposed a motion on the same lines as this, I naturally concur in the resolution moved by the hon. member for Bedford, and I hope it will pass and that the proposition will be considered in the House of Commons. The only reason why the resolution that I moved last year was not taken into consideration by the House of Commons was that it came too late in the session and I was told at the time by prominent members of the other chamber that they would have been happy to take it into consideration if it had come in time. This session, the same reason cannot be assigned, because it will come before the Commons when they are in a position to consider it, so I am happy to know that the hon. member has moved the resolution. I think it is the most practical means of remedying a grievance we have been complaining of the last ten years.

Rt. Hon. Sir RICHARD CARTWRIGHT—I call the attention of my hon. friend opposite to the fact that this motion is not new. It has been moved, to my certain knowledge, at least half a dozen times before, and I am sorry to say that the House of Commons has not responded in any very marked degree in the matter.

Looking at the matter practically I think this might be done: My hon. friend, the leader of the House, might take it into his

consideration, and if possible ascertain during the recess which will shortly come, whether the government would be disposed to co-operate. I have been of the opinion for some time that it would greatly improve the character of private Bills in particular, if all such measures were required to be initiated in this Chamber, just as divorce Bills are. It is a course that I recommended more than once from my place here, and more than once in council. I may mention that without breaking any of the restrictions of office. However, I did not succeed in carrying my point. My hon. friend is coming in as a new hand and can take the matter up with the new ministry and House of Commons. Perhaps he may be more successful than I was. If it could be accomplished I think a great step would be taken in the right direction. The other point the hon. gentleman from Bedford (Hon. Mr. Pope) alluded to rests with the Senate itself to a large extent. If we make up our mind that important measures shall not be railroaded through this House, the Senate can simply suspend them, and if that is done once or twice; I will take it upon myself to assure this body that measures will be laid before them in proper time; but, until an example or two of that kind is made, I doubt very much whether any reform will take place on the part of either the government of to-day or the House of Commons. We will consider that matter when these measures come up. I have already notified my hon. friend opposite, that under the new ministration we will expect measures to be laid before this House in due time, and I have no doubt that as far as he is personally concerned he will do his best to accomplish that. If they are not laid before us in due time it is no fault of mine, and will be no fault of ours if the Senate should decline to consider them without due notice. I would press the other matter on him—that there is no reason why private Bills should not be initiated in this House. I am not quite certain whether that can be done by a mere resolution of the House of Commons. Even if it were necessary to pass an Act for that purpose, it would not be a difficult matter. I would ask the hon. leader of the House if it is under an Act of parliament that the divorce Bills are originated in the Senate, or whether it is simply a matter of practice?

Hon. Mr. LOUGHEED—It is a matter of practice and a rule of the House.

Rt. Hon. Sir RICHARD CARTWRIGHT—There are many good reasons why private Bill legislation should be initiated here, and from my own experience in the House of Commons I am sure it would be better attended to than it very often is in that body. Perhaps my hon. friend would take this matter up with his colleagues during recess, and when we reassemble he will be able to inform us whether the government will concur in carrying out that which I think would be a very desirable reform in the practice of parliament.

Hon. Mr. LOUGHEED—Personally I am much in sympathy with the motion of my hon. friend from Bedford (Hon. Mr. Pope) and I am satisfied that it meets with the approbation of every hon. gentleman in this Chamber. The attention of the Senate on former occasions has been directed to this very important point, as my right hon. friend has said, and I recall that a session ago my hon. friend from Mille Illes (Hon. Mr. David) directed the attention of this Chamber to the desirability of more legislation originating in this House than heretofore. I cannot say that I am any too hopeful about bringing about so desirable a change. If my right hon. friend has exhausted his efforts—and I can congratulate him upon their always having been of an influential character—there is not very much hope of my being able to do very much better than my right hon. friend has done.

Rt. Hon. Sir RICHARD CARTWRIGHT—Oh yes, we will help you from this side.

Hon. Mr. LOUGHEED—I can assure hon. gentlemen that I shall urge upon the government in every possible way the importance of impressing upon the House of Commons, not only the desirability, but the necessity of introducing more public Bills legislation in this Chamber, and, if possible, initiating more private Bills here. The difficulty of doing so lies in this fact:

Every member of the House of Commons who may be charged with the introduction of private measures in that body feels a sense of responsibility attached to a duty of that kind, and he is very naturally desirous of discharging that duty himself rather than delegating it in the first instance to another. However, there should be no difficulty amongst men of common sense impressed with the desire of passing efficient legislation. There should be no reason why representatives from the House of Commons and from the Senate should not come together and discuss conjointly the necessity of carrying a measure of this kind into effect. My hon. friend who made this motion, being comparatively fresh from the Commons, may have some influence with the members of that House in consenting to work with a committee of this House in carrying into effect the proposal which has been made. I can assure the House that I shall be only too glad to do anything I possibly can to promote the end in view.

Hon. Mr. DERBYSHIRE—While the hon. gentleman is looking after this matter, I suggest that he should see also that we have a fair representation of the ministry in this Chamber. Every one feels the necessity of having two cabinet ministers here, charged with the affairs of state, so that the proper men would be here to introduce the legislation, and see that it is properly guided through this Chamber. If I were the hon. leader of the Senate I would not be satisfied until I was a full fledged minister myself, and have a colleague beside me to help carry on the affairs of the state. I think it is due to the dignity of this branch of parliament that we should have such representation here.

Hon. Mr. CLORAN—I heartily agree in the remarks just passed by the hon. senator. I had an opportunity to express my opinion on this subject in this Chamber some time ago. I feel that while the Liberals were enemies of the Senate and expressed themselves as such in the past, that the Conservatives, by the one act of ignoring the Senate, have done more harm to this House than all the statements the Liberals ever made. The hon. leader of the Senate is more than able to fill any department the Prime Minister could allot to him.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. CLORAN—I do not wish to embarrass the hon. leader, but I desire to ask him why the government has not given the province of Quebec the representation to which it is entitled, and why it has ignored the rights of the English Protestant minority in that province? Since the conquest, the province of Quebec has always had an active and responsible minister of the government of the day in the Senate. To-day it has none. It has a minister without portfolio, and without any influence and without any action in the government. This is a serious matter. The people of Quebec are not at all satisfied with this condition of things, and if necessary I shall give notice of this question.

Hon. Mr. LOUGHEED—I am sure the Protestant minority in Quebec will appreciate very much the solicitude of my hon. friend for their interests; but if the hon. gentleman will put a nōtice of that kind on the Order Paper we will give him an answer.

Hon. Mr. POWER—I quite concur in the desirability that something should be done in the direction indicated by the resolution of the hon. gentleman from the Bedford division (Hon. Mr. Pope). At the same time it must be remembered, as stated by the right hon. leader of the opposition, that this matter has come up on various occasions before this House, and the House has attempted to deal effectively with it; but I regret to say that we have not succeeded. I remember, away back in 1880, I think, the Hon. Sir Alexander Campbell, who was at that time leader of the House and a member of the government, made a vigorous effort to remedu the evil which we all acknowledge. I rise not for the purpose of enlarging on the objectionable condition of things, but briefly to indicate what the difficulties are. One of the difficulties is that indicated by the hon. leader of the government. As a rule, gentlemen who have private Bills to

present prefer to go to their own representatives in the lower House. Occasionally a private Bill is introduced here, but as a rule the ordinary citizen, if he has a private Bill to present, likes to place it in the hands of his representative in the Commons, and as the hon. gentleman has said, the representative in the Commons prefers he should present the measure himself, rather than have it presented by some senator who has no special claim on him. That is the difficulty with respect to private Bills. As to public Bills, the difficulty is one that I do not think we can very well overcome. I should say that four-fifths of the public Bills presented to parliament are government Bills. Each minister of the government holding a portfolio, if a measure coming within the sphere of his department is to be introduced, prefers to introduce it himself, and it is perfectly natural that he should. He understands the measure and knows, or thinks he knows, the reasons why he considers it is necessary, and you can hardly expect him to hand that measure over to a gentleman at this end of the building. My hon. friend, the leader of the government, is quite capable of handling almost any measure on short notice; still I think he would not care to assume the responsibility of taking up all the departmental Bills, or half the departmental Bills and introducing them here. While no doubt towards the close of the session there is more or less of a rush of public Bills, the private Bill legislation has not suffered very much in the past. This House has always, I think, given a reasonable amount of care and attention to the private Bill legislation which has come before it, and it does not matter whether a private Bill comes toward the close of the session or earlier. As to the public Bills, it is perfectly true that there is not as much attention given to them when they come down at the end of the session as there should be. But the government are responsible for that. The right hon. leader of the opposition has suggested the course to be adopted to provide that those public measures shall receive due attention.

Hon. Mr. CAMPBELL—There is another matter I should like to call the attention of the House to, and that is the procedure in reference to Bills passed by the Senate. I particularly refer to the fact that a public Bill may pass the Senate unanimously and be sent to the House of Commons late in the session, and it is scarcely ever reached. That was the case with the Water Carriage of Goods Bill, which I had charge of four years ago. It had been subjected to a very close investigation by the Senate after it was introduced, and only reached the House of Commons late in the session, so that it could not be expected it would then receive the consideration of the House of Commons. The next year it was introduced the first day of the session, and passed this House in the shortest possible time, unanimously. It went to the House of Commons and was put on the list of public Bills and Orders, and those public Bills and Orders were never reached. I think public Bills passed by this Chamber should receive the consideration of the House of Commons. Bills passed by the House of Commons come over here, are duly considered and passed or amended as the Senate sees fit; but Bills passed by the Senate do not receive the same treatment in the Commons. It is ten chances to one that the public Bills now before the Senate, even if passed in this Chamber, will never be reached in the House of Commons, because the public Bills and Orders may not be reached. I think the procedure in the Commons should be changed so that Bills passed by the Senate shall receive favourable consideration at their hands. The Water Carriage of Goods Bill passed the Senate three times, unanimously twice, but it was never reached in the House of Commons. On the fourth occasion, at the urgent request of myself and others, the minister took it up, otherwise it would never have been reached.

Hon. Mr. BELCOURT—While I am in accord with the object the hon. gentleman from Bedford has in view in proposing this motion, I do not entertain very much hope that it is going to have any practical results. As has been intimated in discussion, the matter was the subject of a motion on several occasions, for many years past. We have heard from

the hon. gentleman from Mille Iles (Hon. Mr. David) that his motion, which was unanimously adopted last year, was not considered in the Commons because it came too late. My hon. friend may have that consolation, if he wishes to take it; but I doubt very much, even if the session had lasted a month or many months longer, whether his motion would have received very serious consideration over there any more than the motion we are going to pass to-day is going to receive serious consideration in the Commons. We might make some progress if a committee of this House were to discuss the matter, and go to the House of Commons with some concrete and definite proposal, in the hope that they might accept it; but if we leave it to them to appoint a joint committee with ourselves to discuss this matter at large, I am afraid that the committee is not going to meet in the very near future, and when it does meet the discussions are going to be so wide that nothing practical will be accomplished. With reference to the public Bills, I am afraid the right hon. leader of the opposition has put an impossible proposition to the leader of the government. The right hon. leader of the opposition has confessed his inability to make any progress on the lines which he wants my hon. friend the leader of the government to adopt.

It is quite evident to me that as far as private Bills are concerned, I do not think the members of the Commons will give up their rights to introduce in their own House the Bills for which they are themselves responsible, and I doubt very much if senators were asked to do the same thing if they would agree to it. They would not agree to have all private legislation initiated in the House of Commons any more than the Commons would agree to have all private Bill legislation initiated in the Senate. So long as we have not a larger representation of the cabinet in the Senate we will not have many public Bills introduced here. After all, the solution of the difficulty is the one which has been suggested—have larger representation of the cabinet in the Senate. If my hon. friend from Bedford (Hon. Mr. Pope) would propose something more definite—that a committee of this House be formed for the purpose of considering the matter—he would make more progress than we can by pressing the motion before the Chair.

The motion was agreed to.

A SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (No. 18) an Act for granting to His Majesty certain sums of money for the public service of the financial year ending March 31, 1912.

The Bill was read the first time.

The Bill was then passed through its final readings under suspension of the rules.

SALE OF BREAD BILL.

COMMITTEE STAGE POSTPONED.

Hon. Mr. CASGRAIN moved that Bill (D) An Act respecting the sale of bread, be referred to a committee of the whole House.

Hon. Mr. DAVID—I am not opposed to the principle of the Bill, but I understood that it was to be referred to the Private Bills Committee, or to a special committee, and I so informed people in Montreal, and members of the council and of the board of control who are all interested in the measure. A great number of citizens are interested and want to be heard. If I had been here when it was proposed to refer the Bill to a Committee of the Whole House I would have objected. It is a very important measure and merits a good deal of attention. Speaking for myself, unless the parties who are interested in the measure pro and con are heard I shall not be in a position to vote on the measure. This question has been discussed in Montreal at different times and by-laws have been passed regulating the sale of bread. During the last session of the local legislature, a Bill was passed, and is now in force throughout the province of Quebec. Under the circumstances, I hope that the hon. gentleman will consent to have the Bill referred to the Private Bills Committee, or if he prefers, to a special committee in order that the parties who are interested may be heard. I

was told by a representative of the Attorney General's Department for the province of Quebec that they would like to be heard, as the local legislature has enacted a law on this same question. They want to show that they were acting within their powers in passing such legislation, and that this parliament should not intervene now. I think the same may be said of other provinces. I believe there is legislation on the subject in the province of Ontario, and, consequently, it would be dangerous to proceed too rapidly with this measure to permit parties interested having an opportunity to be heard. I, therefore, move that the order of the day be discharged, and that the Bill be referred to the Private Bills Committee. I hope my hon. friend will not oppose my motion, because there is no necessity to press the measure now. No harm will be done if we delay it for a month or two, and the members of the Senate will then be in a better position to vote intelligently on the measure.

Hon. Mr. CASGRAIN—If my recollection is correct, the hon. member was here at the second reading of the Bill. However, that is a matter of detail. The point I wish to raise is that this Bill is a public measure, and it is the right of the Senate to consider it in a Committee of the Whole House. Everybody knows that in our large cities there are associations of bakers which are in the nature of trusts or combines. They fix the price of bread, and all the dealers are obliged to sell at the same price. Now what would be the effect of sending this Bill to a special committee? These associations, with large amounts of money at their command, would come here and make all sorts of representations. They would engage perhaps the ablest lawyers in the country to defend their interests, while the interests of the general public would be represented by volunteers from this House probably—I hope many of them, but that is all. If we were to be guided by the evidence, the weight of evidence would be given by the bread trust. If that is the way to kill the Bill, why does the hon. gentleman not have the courage to kill it here. The Senate voted unanimously in favour of the principle of the Bill, and all that remains to be done is to see whether or not, when the people of this country buy bread they get proper weight. No honest baker will object to that. There are some bakers who are not opposed to this Bill. Two of the principal bakers in Montreal called at my office on Saturday morning and claimed that they give right weight and are not opposed to the principle of this Bill. We want bread sold by the pound, not by the loaf. Bread is manufactured in fractions of pounds. For instance, a loaf weighing a pound and a quarter is sold for a pound and a half, and a loaf weighing a pound and three-quarters is sold for two pounds.

Hon. Mr. DAVID—I do not think this is the time to discuss the details of the question.

Hon. Mr. CASGRAIN—It is very difficult to determine by sight alone whether a loaf weighs the full two pounds or less.

Hon. Mr. DAVID—The hon. gentleman is not speaking to the motion before the Senate, and I ask for the decision of the Chair.

The SPEAKER—The question is on a motion to refer the Bill to a special committee.

Hon. Mr. CASGRAIN—I am speaking against that motion. I have been informed that some bakers stamp their bread with a large two and a small zero after it representing twenty ounces, and the loaf weighs only a pound and a quarter, but this large figure two leads one to believe that he is buying two pounds of bread. A loaf which weighs three and a half pounds would readily be mistaken by one who is not observant for a four pound loaf. What happens? The large hotels and railway companies—

The SPEAKER—The hon. gentleman should confine himself to giving reason why this Bill should go to a Committee of the Whole House instead of to the Private Bills Committee.

Hon. Mr. CASGRAIN—I claim that the special committee is not a proper place to send this Bill; that it should be dealt with in a Committee of the Whole House. Surely hon. gentlemen do not require expert evidence to know whether the people of this country wish to buy bread by the

loaf or by the pound? The object of this Bill is to enable them to buy bread by the qound. Surely this Chamber is able to deal with a matter of that kind and say whether it wishes or not that the people should get full weight, and do as the large institutions do—buy so many loaves, get them weighed and pay so much a pound for their bread.

Hon. Mr. CLORAN—This may appear a small matter, but it is a matter of life. I can speak with a little authority, as my father was in the business for about fifty years. There is a big difference between the bread of to-day and the bread sold in the past. There was a time when the workingman who bought a three pound loaf got the full weight, and sometimes one or two ounces over. To-day the man who is earning a dollar and a half a day and has to feed a number of children, when he buys a one pound loaf gets 13½ or 14 ounces instead of 16. That I know. When my father baked his bread he put in it three pounds of dough, and three or four ounces over, so as to make it at least the full weight when it was baked. That is not what is done to-day. The bakers now put in 16 ounces of dough, and when the loaf is baked it comes out weighing 13½ or 14 ounces, not more.

Hon. Mr. CAMPBELL—Then they are liable to be fined for short weight.

Hon. Mr. CLORAN—A poor man can not afford to bring a baker into court. Under our laws, we have fixed measures for nearly everything that is sold. A bushel of grain must weigh 60 pounds, and a bag of potatoes 90 pounds, and so on throughout the list of commodities for human consumption. Bread is the staple of life; it is practically the main thing the poor man can count on to feed his family, and when he gets bread under weight it is not fair to him. The Senate has no greater obligation than to see after the welfare of the working man. I am perfectly in accord with the promoter of the Bill. There is absolutely no necessity to send it to a special committee. All parliament is asked to do is to say that when a baker sells a pound loaf it shall weigh sixteen ounces. Let parliament be honest in dealing with this matter and make the bakers honest.

Hon. Mr. KERR—It seems to me probably all that is desired by my hon. friend from Mille Iles could be obtained by leaving this matter over until after the House reassembles.

Hon. Mr. POWER—Hear hear.

Hon. Mr. KERR—It is an important Bill probably. It affects the trade and the public. In some parts of the country there is legislation on this subject such as by-laws and provisions of that kind and unless the question is understood fully both by the trade and the public, there may be a conflict in administering any law such as we might make by an amendment of this character. I would, therefore, suggest, instead of a reference to a special committee, that the hon. gentleman should move that the Bill be not now referred to commiiee, but that the reference be postponed.

Hon. Mr. POWER—I trust the hon. mover of this Bill will accept the suggestion made by the hon. gentleman from Toronto. I am cordially in favour of the measure. I think it is an important one, but it has not been gone over yet by any critical eyes, except those of the hon. gentleman who has introduced it, and before we undertake to pass a measure of such importance we should have a little more time to consider it. I quite agree with the hon. mover that it is not a Bill which should go to one of the committees on private Bills. I may however call attention to one or two points which I think should be considered. In the first place, the title is 'An Act respecting the Sale of Bread'. The sale of bread, and the sale of smallwares is a subject generally dealt with by the ordinances and by-laws of the cities and towns, and it would seem at first sight that this measure proposes to deal with a matter which comes within the jurisdiction of the provincial legislature. I am simply speaking of the way it looks. My feeling is that the measure does come within our jurisdiction, but I wish to have it framed so that the ordinary reader will not be troubled by any doubts. The first clause says that this

Act may be cited as 'The Bread Sales Act, 1912.' If I may be permitted to say so, I think it would be better to make this Act an amendment to the Inspection of Food Act. Subclause 2 states that small bread may be made for sale. What does that mean?

Hon. Mr. CASGRAIN—Less than twelve ounces—fancy bread—loaves.

Hon. Mr. POWER—That should be a little more definite.

Hon. Mr. CASGRAIN—It is the wording of the Ontario law.

Hon. Mr. POWER—The Ontario law is good enough for Ontario; but it may not suit the other provinces. It should be made more definite. My suggestion is that the House should refer this measure to a Committee of the Whole, and that the hon. gentleman should have it taken up when we return after the adjournment. In the meanwhile those members who take an interest in it could consider the proposed amendment.

Hon. Mr. CASGRAIN—I am quite prepared to accept the suggestion, if the hon. gentleman from Mille Iles will withdraw his motion.

Hon. Mr. DAVID—I will modify my motion in that way.

Hon. Mr. CAMPBELL—I think this is a matter which should go before one of our committees.

Hon. Mr. CLORAN—The best committee is the Committee of the Whole.

Hon. Mr. CAMPBELL—No matter how important the subject is there is a good deal of conflict of opinion as to the rights of this parliament to pass such a measure. We know that last year the province of Ontario passed a bread Act which is very rigidly enforced. Inspectors can take the bread out of the delivery wagons and weigh it right there, and if it is found to be short weight, it is immediately taken away and the party is fined. Very heavy fines have been inflicted.

Hon. Mr. CASGRAIN—Very often, too?

Hon. Mr. CAMPBELL—I venture to say that in Toronto, of which I can speak personally, the bread there is fully up to weight.

Hon. Mr. CLORAN—Not in Ottawa.

Hon. Mr. CAMPBELL—I am not speaking of Ottawa. A one pound loaf of bread is a pound in weight. It is not fourteen ounces, but sixteen, and that is owing to the system of inspection. The fines have been so severe that it is foolish for bakers to attempt to pass light weight bread. Large interests are affected by this Bill throughout the whole Dominion, not only in Ottawa, Montreal and Toronto, but in other places. It will do no harm to refer it to a committee, so that if there is any opposition to it we can hear what it is. The hon. mover of the Bill fears that if it is referred to the Private Bills Committee the powerful trusts and combines will come down and buy up the Senate.

Hon. Mr. CASGRAIN—I never said anything of the sort, or hinted that. I wish that statement to be withdrawn.

Hon. Mr. CAMPBELL—That is the only inference.

Hon. Mr. CASGRAIN—No, I never said or hinted anything of the sort; I said they would retain able lawyers to appear here. I never spoke about buying this honourable House, and I call upon the hon. member to retract those words at once. I rise to a point of order.

Hon. Mr. CAMPBELL—I did not say they would buy up this House, but the only inference I could draw from his words was that that would be the effect, with the ablest lawyers of the Dominion coming before the committee.

Hon. Mr. CASGRAIN—No.

Hon. Mr. CAMPBELL—A committee of the Senate is the last place that any trusts or combine would come to try to exert an influence. My experience in the Senate is comparatively short, but I find that committees of this House are strictly above anything of the kind; they judge the Bills upon their merits alone. No powerful interest can come here and sway or buy up

the Senate. If it is desired to leave the Bill over until the Senate meets again, well and good; but I think it would be wise to refer it either to a special committee or to the Private Bills Committee, where if there is any objection to it we will hear it.

Hon. Mr. CLORAN—Sixteen ounces to the pound—that is the whole question.

Hon. Mr. DAVIS—I sympathize with the hon. gentleman who introduced this Bill in his effort to keep this thing out of the hands of the trust. To my mind the bread supply of the country is in the hands of a trust. The fact that you would make them bake loaves of a certain weight would not affect the pockets of the public very much, because they would advance the price. I cannot see what object there would be in sending the Bill to a select committee. I did not hear the explanation on the second reading, but as far as I can gather it simply compels bakers to give 16 ounces to the pound of bread. I do not see that any expert evidence is going to change that. If a man buys a pound he should have a pound. Clause 2 provides that people who are selling bread must have scales, and if anybody who is buying bread gets the idea that he is not receiving a pound, he demands that the loaf be put on the scales. I do not see what expert testimony we require to explain that.

Hon. Mr. CAMPBELL—The scales are to be kept in a convenient place.

Hon. Mr. CASGRAIN—In the delivery wagon.

Hon. Mr. CAMPBELL—When they buy it from a delievery wagon the delivery wagon should have the scales.

Hon. Mr. CLORAN—Wherever the bread is sold.

Hon. Mr. DAVIS—I would compel them to stamp on each loaf of bread the weight. If they were selling it as one pound, you would be in a position to fine them if the loaf did not weigh a pound. If a man thinks he is not getting a pound he has a right to ask to have the bread put on the scales and weighed.

Hon. Sir RICHARD SCOTT—The same with tea or anything else.

Hon. Mr. DAVIS—My hon. friend is better acquainted with the question, because it affects Montreal more than any other part of the country. I think the Bill is a good one and I see no necessity for expert testimony. I would be opposed to referring this Bill to a select committee. It should be dealt with here.

Hon. Mr. DAVID—I will accept the suggestion of the hon. gentleman from Toronto and withdraw my motion.

The motion was withdrawn.

The SPEAKER—The Motion is that the Bill be not now referred to a Committee of the Whole, but that it be referred to a Committee of the Whole on the 25th of January next.

The motion was agreed to.

RAILWAY EMPLOYEES PAYMENT BILL.

SECOND READING POSTPONED.

The order of the day being called:

Second reading (Bill E) intituled: 'An Act concerning the payment of salaries or wages of Employees of Railway Companies.'

Hon. Mr. CASGRAIN—I move that the order of the day be discharged, and that it be placed on the orders of the day for January 25. Since we discussed this Bill last session, the Trades and Labour Council of the whole country held a meeting at Calgary and unanimously adopted a resolution supporting the measure, and at the same time repudiated the statement made by a gentleman named Hall who came before the committee and said he was representing labour organizations who were opposing the Bill.

Hon. Mr. CLORAN—One of the biggest frauds on earth.

Hon. Mr. POWER—I do not think this is a proper argument to address to the House just now. Surely the hon. gentleman does not wish us to take everything that was said at the meeting in Calgary as gospel.

Hon. Mr. CASGRAIN—Many Senators have presented petitions praying for the adoption of this legislation, and a circular giving a copy of the resolution adopted by the labour organizations of Canada has been received by every senator.

The Motion was agreed to.

GRAND TRUNK PACIFIC RAILWAY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (20) An Act respecting the Grand Trunk Pacific Company.

The Bill was read a first time.

Hon. Mr. WATSON moved the suspension of the rules relating to the Bill. He said: This Bill should have been passed last session and it is desirable that it should receive the assent of the Governor General at once. The charter will expire before the Senate resumes.

The motion was agreed to.

The Bill was then read a second and third time and passed under a suspension of the rules.

NATIONAL TRANSCONTINENTAL RAILWAY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (21) An Act respecting the National Transcontinental Railway.

The Bill was read a first time.

Hon. Mr. LOUGHEED moved the second reading of the Bill. He said: This is a Bill complementary of the Bill we have just passed. Its object is to permit the government to extend the time for the construction of the western section of the National Transcontinental railway, which has been provided for in the Bill which we have just passed.

Hon. Mr. KERR—Why does the legislation take this form? All the provisions respecting the construction of this road are brought into concrete form and enacted as legislation, so that it is amending the Act, and this Bill instead of amending that Act by extending the time as is usual where the extension or completion of roads is desired, is leaving it permissive with the government. Why does not the Bill declare that the time is extended?

Hon. Mr. LOUGHEED—The necessity for this legislation has unexpectedly arisen and it permits the government to consider the question as to what time should be given to the National Transcontinental railway to complete the various sections referred to. The government of Canada is quite as much interested in it as the Grand Trunk Pacific. It is all part of one system. The bonds have been guaranteed by the government of Canada and it is surely a question that can be left safely with the government.

The Bill was then read a second and third time, and passed, under a suspension of the rules.

THE SESSIONAL INDEMNITY.

Rt. Hon. Sir RICHARD CARTWRIGHT—I want to call the attention of my hon. friend opposite to a little matter which he may remember occurred at the close of last session. Some hon. gentlemen who had been appointed senators, under a construction of the law, which I was not able myself to understand, were not merely stated to be entitled to no indemnity for the period during which they had attended, but were informed that they were required to pay certain sums into the consolidated revenue for fines caused by the fact that they had not attended for, I think, a longer number of days than the total indemnity would cover. My hon. friend will recollect the matter?

Hon. Mr. LOUGHEED—Yes.

Rt. Hon. Sir RICHARD CARTWRIGHT—It was intended that these gentlemen should be relieved, and, I suppose, paid for the days that they did attend. That is a matter which my hon. friend as leader of the Senate should take up and put into shape during the recess. I am quite sure he will have no objection to do it. I do not presume that these gentlemen paid their

fines, but I believe that they are charged against them all the same.

Hon. Mr. LOUGHEED—My attention was directed to this anomaly within the last few days. The conclusion arrived at was the result of the submission of the Act to the late Minister of Justice, and is as has been mentioned. The Minister of Justice, I understand, quite appreciated the difficulty which would arise, but he took the position that there was the statute and there was no alternative but to come to the conclusion mentioned by my right hon. friend. It will, I think, involve an amendment to the statute, and I notice upon the Order Paper a notice of motion by the Hon. Mr. Domville which may possibly lead to a discussion of the question. I cannot say that the object of his Bill is to amend this particular section; but it is an amendment of that particular Act, and while his Bill may be subject to certain criticisms, it may possibly result in our being able to amend the Act so as to give the necessary redress. I shall take the matter up with very great pleasure, and with a view of our escaping any difficulty of that kind in the future.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think my hon. friend should himself take special charge of that point. The Bill of the hon. member from Rothesay (Hon. Mr. Domville) goes a good deal further than perhaps we will be able to go.

Hon. Mr. LOUGHEED—I do not make reference to his Bill with a view of approving of the measure itself, but as it is an amendment to the Senate and House of Commons Act, in which Act the difficulty has arisen that my right hon. friend refers to it may permit of our discussing an amendment to overcome the difficulty which has now been pointed out.

Hon. Mr. POWER—I respectfully suggest to the hon. leader of the government that the Senate and House of Commons Act needs various other amendments besides the one now proposed, and I hope he will give his attention to the subject.

Hon. Mr. CLORAN—If the statute makes it possible to do what has been done, I pity the legislators. Suppose a session lasted 300 days; that would mean the Auditor General would have a right to charge up against a member of either House $15 a day, $4,500, and the indemnity is only $2,500. That would bring a member in debt $2,000. On the face of it, that is absurd, and I do not see why the hon. leader of the government should have any objection whatever, but on the contrary he should hasten to remedy the evil.

Hon. Mr. POWER—He is going to do it.

BILLS ASSENTED TO.

The Senate was adjourned during pleasure.

His Honour Mr. Chief Justice Sir Charles Fitzpatrick, Deputy Governor General, being seated at the foot of the Throne, the following Bills were assented to:

An Act respecting the Grand Trunk Pacific Railway Company; and

An Act respecting the National Transcontinental Railway.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1912.

The Senate resumed.

BILL INTRODUCED.

Bill (F) an Act to incorporate Revillon Frères Trading Company, Limited.—Sir Richard Scott.

DELAY IN PRINTING.

Hon. Mr. POWER—Will the leader of the House use his influence with the Printing Bureau during the adjournment to accelerate its work done for this House? The speeches which were delivered on the address a fortnight ago have not yet been distributed in a revised form, and further—and this is a matter which does not affect this House alone—the statutes passed last session have not been distributed yet. It is a most unbusinesslike and unsatisfactory condition of things.

Hon. Mr. LOUGHEED—I shall direct the attention of the minister to that.

The Senate adjourned until Wednesday, the 24th January, at 3 p. m.

THE SENATE.

WEDNESDAY, January 24, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

TYPHOID FEVER BILL.

FIRST READING.

Hon. Sir RICHARD SCOTT introduced Bill (G) An Act to check the spreading of Typhoid Fever.

The Bill was read the first time.

Hon. Sir RICHARD SCOTT moved the second reading of the Bill for Tuesday next. He said: Although it is quite unusual to give an explanation of a measure on the first reading, we have lots of time now, and I have been asked to do so by an hon. gentleman. If I read the preamble I think it will assist hon. members to understand the Bill. It is as follows:

Whereas, it is generally recognized that the typhoid bacilli obtains an entrance into the human organism through the medium of drinking water, but sometimes by inhalation, or they may be swallowed in polluted food, multiplying by millions in the alimentary canal. If there is present any fermenting or undigested food, it therefore becomes essential for the preservation of the public health that those dangerous germs should be promptly destroyed by disinfection when expelled from the human being, thus annually saving many lives, but only if disinfection is rigidly enforced.

The object is to provide that the excreta, both solids and fluids, from a typhoid fever patient shall be promptly disinfected with carbolic acid, or some other disinfectant which will effectually destroy the germs. It is recognized, I believe, not only by the public generally, but by medical men, scientists and bacteriologists, that typhoid fever is largely spread through drinking water. The water becomes infested with the germs in the excreta from typhoid patients being thrown into the water. Abundance of evidence of that can be obtained, but that will come in more properly on the second reading. I am merely mentioning the general purpose of the measure. This Bill makes it a criminal offence for a doctor or other attendant on a typhoid fever patient who neglects to give information at once to the health officer, or the head of the municipality, that the patient has typhoid fever. It then becomes the duty of the municipality to see that the excreta is disinfected and disposed of in the particular way stated in the Bill, and not thrown into a cess pool or into a closet, from which it finds its way into the water. There is no doubt that 90 per cent of typhoid cases have been caused by the excreta of typhoid patients being disposed of in such a way that the germs find their way into the drinking water. It is extraordinary that up to the present time no notice has been taken of this fact, and no measure has been adopted to prevent the dissemination of this disease.

As an illustration I may mention an interesting case to which my attention was directed some years ago, and which was quoted recently by a professor of McGill in a lecture on the necessity of pure water. In the town of Plymouth, Pennsylvania, they get their drinking water from a stream that passes the place. One spring, typhoid broke out in the town, and over a thousand people were almost at once attacked by the disease. It caused great excitement, and after some investigation it was discovered that a man who had taken typhoid in Philadelphia had gone into the country and was taken ill in a house on the bank of this same river from which the people of Plymouth took their drinking water. The excreta of the typhoid patient were thrown on the bank, and the spring rains carried the typhoid germs into the river, and thus the disease was disseminated throughout a thousand homes in Plymouth. The cause was unmistakeable, because it was clearly shown that there was no typhoid on the river bank above this particular point. But I need not go so far away to find an illustration. Hon. gentlemen will remember that last March typhoid broke out in the city of Ottawa and between one and two thousand people were affected by it. The cause of the outbreak was traced to the opening of a valve in the intake pipe of the waterworks which allowed the water from Cave Creek to enter the pipe. There were a number of cases of typhoid on the banks of Cave Creek and there is no doubt the disease was disseminated in that way. If typhoid germs can be destroyed by the

simple means I have indicated, surely this legislation must commend itself to this House and to the people of Canada. Those who read the Bill can understand why it has been introduced and also how typhoid is disseminated. Typhoid is an annual visitor in Canada. Looking over the statistics of deaths for the last twenty years I find that typhoid has annually increased in number with the increase of population. Recently there was an outbreak of typhoid at Sarnia, and in Toronto and Montreal they have had outbreaks of the disease repeatedly. Ottawa, no doubt, contributes to the outbreaks in Montreal because of the manner in which this city discharges its sewage into the Ottawa river. It has been proved by bacteriologists that typhoid germs multiply by millions in the intestinal canal. If people would only keep the alimentary canal in a proper condition they would be immune from the disease, but they will not do so, and they must bear the consequences.

The Motion was agreed to.

WATER RIGHTS IN BRITISH COLUMBIA.

INQUIRY.

Hon. Mr. BOSTOCK inquired of the government:

If their attention has been drawn to the statement made by the Hon. Richard McBride, in referenec to the railway belt, as reported in the 'News-Advertiser,' of the 25th November.

'The question of water rights is a pertinent one at this time demanding immediate action. Mr. Ross and the Attorney General have come to an arrangement with Mr. Borden, which although I am not in a position to make a public announcement upon to-day, will commend itself to all present.'

Is the government in a position to state what the terms of the arrangement made between the Attorney General of the province and the Hon. Mr. Borden are?

If so, what are the terms of the arrangement? If not, when will they be prepared to state the terms of the arrangement?

Hon. Mr. LOUGHEED—No, is the answer to the first question. The answer to the second is, not at present, and to the third, during the present session, so that my hon. friend during this session will have the advantage of seeing whatever legislation may be brought down, and that will give him all the information he seeks.

MAIL SUBSIDIES TO OCEAN STEAMSHIPS.

MOTION.

Hon. Mr. CASGRAIN moved:

That an humble address be presented to His Royal Highness the Governor General; praying that His Royal Highness will please to cause to be laid before the Senate, copies of the contracts between the government of Canada, and the various steamship companies for the carriage of the mails between England, France and Canada, and all the correspondence relating thereto since the first of January, 1909. Also, the agreements, if any, for the carriage of mails via New York. Further any contracts, subsidy agreements, &c., for the conveyance of mail between Canada and Newfoundland, and the correspondence relating thereto since the first of January, 1909.

He said: I received a letter from the department asking me to limit the information I sought. The Deputy Minister of the Department of Trade and Commerce wrote me to say that these documents were very voluminous and contained a lot of matter which might not be absolutely relevant, and if I would be satisfied with less than the motion covered he would have it prepared, that it would save time, and if I wanted more they would give it later on. I agreed most cheerfully and obligingly, seeing that we could get it at once.

Hon. Mr. YOUNG—Then the Motion should be amended.

Hon. Mr. LOUGHEED—If my hon. friend will indicate to me what he would be satisfied with, I will at once take the necessary steps to have it prepared.

Hon. Mr. CASGRAIN—I think the work is already done.

The Motion was agreed to.

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill (No. 75) An Act to amend the Senate and House of Commons Act.

The Bill was read the first time.

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

Rt. Hon. Sir RICHARD CARTWRIGHT—Is this measure intended to relieve our hon. friends who have been billed by one of our officers for a sum of money for being made senators?

Hon. Mr. LOUGHEED—The object of the measure is to prevent a like difficulty arising in the future.

Rt. Hon. Sir RICHARD CARTWRIGHT—I presume our friends did not pay, and therefore there will be no question of refunding.

Hon. Mr. LOUGHEED—I may say that the Bill as presented is not retroactive, but the attention of the government having been directed to the difficulty which has arisen for the last four or five years, or more, they consider this an opportune time to have the difficulty remedied.

The Motion was agreed to.

BILLS INTRODUCED.

Bill (No. 66) An Act respecting the Public Archives.—Hon. Mr. Lougheed.

Bill (No. 2) An Act to amend the Juvenile Delinquents Act, 1908.—Hon. Mr. Lougheed.

Bill (No. 10) An Act respecting the British Colonial Fire Insurance Company.—Hon. Mr. Lougheed.

Bill (No. 26) An Act to incorporate the Saskatchewan Life Insurance Company.—Hon. Mr. Ross (Moosejaw).

Bill (No. 58) An Act respecting the Department of External Affairs.—Hon. Mr. Lougheed.

Bill (No. 65) An Act to correct certain clerical errors in the French version of the Revised Statutes of 1906.—Hon. Mr. Lougheed.

Bill (No. 31) An Act to amend the Quebec Harbour Commissioners' Act, 1889.—Hon. Mr. Lougheed.

THE HOUR OF MEETING.

Hon. Mr. LOUGHEED moved that the Senate do now adjourn.

Hon. Mr. POWER—During the thirty-five years that I have been in the Senate, the House met at a quarter past three. For the last two years, for the convenience of hon. gentlemen who reside comparatively near Ottawa, it has been the practice to meet at three o'clock sharp on Friday. To-day the Senate has been summoned to meet at three sharp, and I do not think any good end can be attained by doing so. If we meet on Fridays at three o'clock we shall suit the convenience of hon. gentlemen who are directly interested in the matter, but the general convenience of the House would be served by our meeting on other days at the hour at which we have met since confederation.

Hon. Mr. YOUNG—Last year we met at half past two on Fridays.

Hon. Mr. CASGRAIN—The House of Commons meets at three o'clock every sitting day, and if there is absolutely nothing for senators to do between three o'clock and three fifteen, I do not see why we could not meet at the same hour as the House of Commons. It is the rule of the House, and why should we not live up to it? If we have been dilatory in the past, we should turn over a new leaf and adhere to our rules. I was the member who called the attention of the Speaker to the rule, and until it is altered I think we should observe it.

Hon. Mr. POWER—The Speaker does not regard it as three o'clock until a quarter past three. For over forty years that has been the uniform practice, and I contend that it meets the convenience of the great majority of senators better than meeting at three sharp. On Fridays, when members are anxious to get away for the week end, the House might meet at three sharp, or half past two if they like.

The SPEAKER—I am placed in rather an awkward position in this matter. If I conform to the rules I must be here at three o'clock sharp. I have no objection to the rule being changed, but until it is changed I must follow it, if my attention is called to it.

THE LEADER OF THE SENATE.

Hon. Mr. MACDONALD (British Columbia)—I take this opportunity of congratulating the hon. gentleman from Calgary on the position he has attained, as leader of this Chamber. I am sure he will conduct the affairs of the House with ability, dis-

cretion and courtesy. He has had the very good example for the last few years of the late Minister of Trade and Commerce, who exhibited great ability, tact and patience, and who conducted the proceedings of the House in a manner acceptable to both sides. The right hon. gentleman followed the give and take principle, and did not ram government measures down the throats of hon. members without full opportunity for discussion and amendment when necessary.

Rt. Hon. Sir RICHARD CARTWRIGHT—I thank the hon. member from British Columbia, and I am sure my successor on the other side of the House will, as heretofore, act on the give and take principle, and show all possible tact and discretion.

The Motion was agreed to and the Senate adjourned till three o'clock to-morrow.

THE SENATE.

THURSDAY, January 25, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

THE LIBRARY OF PARLIAMENT.

REFERRED TO COMMITTEE.

The order of the day being called,

That the report of the Joint Librarians of Parliament requesting the appointment of Allan Phillips Starr to the position of Clerk in the Library, be referred to the Standing Committee on Internal and Contingent Accounts of the Senate.

Hon. Mr. POWER—I find that some mistake has been made in connection with this report. The Minutes do not correctly represent what was said in the report. The report proposes to deal with another officer besides Mr. Starr, and there is a mistake as to the salary. Turning to the Minutes, I find it was represented that the messenger is to get a salary of $1,200 a year. That was not in the report, and that fact renders it the more necessary that the report should go to the Committee on Internal Economy and Contingent Accounts. I, therefore, move that the report of the Joint Librarians of Parliament, respecting not only Mr. Starr, but the other officer as well, be referred to the Standing Committee on Internal Economy and Contingent Accounts.

Hon. Mr. LOUGHEED—Would my hon. friend say in what way we have fallen into the practice of referring to a select committee a joint report? Let us assume for the moment that the select committee would disagree with the joint committee, or report itself, and that it should come back to the Senate, then what would be the result? As a matter of fact, I understand the practice has been that the joint report should be simply confirmed or approved by the Senate.

Hon. Mr. POWER—It happens, as I stated just now, that in the present instance the report as set out in our Minutes is not a correct transcript. If there is nothing objectionable in the report, the Committee on Internal Economy will report favourably as a matter of course.

Hon. Mr. LOUGHEED—If there be an error in the report, should it not come back to the joint committee? How would the Committee on Internal Economy have authority to ratify a mistake of the joint committee on the library?

Hon. Mr. POWER—The joint committee did not make the mistake. The mistake was made in printing the report; but if the hon. gentleman looks at the Act of, I think, 1908, or 1909 perhaps, he will find that in the case of appointments to the library of parliament the two Houses have to concur. This House has never found it convenient to undertake to deal with the matter of patronage without a reference to the committee. The reference to the committee is to enable the House, when the report comes up, to deal with the subject intelligently. I do not think there can be any objection to having all the information that is desirable in connection with a matter of that sort.

The SPEAKER—Before the question is put, I would like to call the attention of the House to the report itself, which is to

be found on page 90 of the Minutes, and which reads as follows:

Sir,—We have the honour to request the appointment of Allan Phillips Starr to the position of clerk in the Library of Parliament (to fill a vacancy created by resignation) in subdivision B, of the second division, at a salary of $1,200 per annum; and of Frank Tozer, as a sessional messenger, (to fill a vacancy created by resignation in subdivision B, of the second division, at a salary of $1,200 per annum, his appointment to date from the 19th instant.

As this is the first occasion of making original appointments to the library under the new Act, we wish to point out that action is taken under section forty-five of the Civil Service Act, 1908.

Instead of saying, 'In subdivision B of the second division' it should read: 'At the customary wages of $3 per diem during recess, his appointment to date from the 19th instant.'

The original report was made in those words, and the mistake occurred in the Printing Bureau, repeating the line they had before them, two lines above.

THE LATE SENATOR McKAY.

Hon. Mr. LOUGHEED—Before the orders of the day are proceeded with, it is my painful duty to direct the attention of this Chamber to the loss through death, since we had our adjournment, of one of the oldest and most respected members of the Senate. I refer to the late Senator McKay, of Truro, Nova Scotia. 'The grim reaper' has been very busy within the walls of this Chamber during the last six months. This is the fourth removal by death that the Senate has suffered in that time. Immediately previous to the adjournment, Senator McKay was with us, and from his then appearance gave prospects of several years of useful service. He was one of the senior members of this body, there being only five senators enjoying seniority to him. For nearly forty years he was engaged in the political activities of Canada. As far back as 1874, he occupied a seat in the House of Commons, and in 1881 was appointed to this Chamber, thus rendering more than thirty years service of a very valuable character as a member of this body. During that time his services, rendered in a quiet, unostentatious and yet active way, were appreciated by this Chamber. In his earlier days he had attached himself particularly to committee work, and his opinion and services were always regarded as of very high value to his country. His qualities of mind and heart appealed strongly to the members of this Chamber who knew him most intimately, and thus cemented the ties of friendship between him and themselves to such an extent that his death will be to this Chamber and to his friends a serious and a re-regrettable loss. I am sure, therefore, that the sympathy of the Senate will be extended and conveyed to his widow and the members of his family in the very sad bereavement which they have been called upon to suffer.

Rt. Hon. Sir RICHARD CARTWRIGHT—I entirely agree with the remarks which have fallen from the leader of the Senate in reference to our departed friend Senator McKay. It is very nearly forty years since I had the pleasure of making his acquaintance, both of us at that time being members of the House of Commons. The late Mr. McKay had been nearly thirty years a member of the House, and consequently there are many here present who are better qualified perhaps than I am to speak of the services that he rendered; but I have always understood that Mr. McKay had on all occasions shown himself to be a very attentive and diligent member of this House. As chairman of the Standing Orders Committee he showed himself in every respect worthy of the trust and confidence placed in him. I am sure the members on both sides will cordially agree with the hon. leader of the House in expressing their sympathy to the widow and family, and our own sense of the loss which the Senate has sustained by Senator McKay's comparatively untimely death. I had hoped myself, as we all hoped, that Mr. McKay had many years of usefulness in store for him. Certainly there was nothing in his appearance which indicated when we were parting the probability of his comparatively untimely death. We all agree heartily with our hon. friend in tendering our sympathy to the widow and family of the deceased.

THE ANNUITIES ACT.

Hon. Mr. ROSS (Halifax)—Before the orders of the day are called, I should like to direct attention to a subject discussed yesterday in the other Chamber—I mean the Annuities Act introduced in this House by my right hon. friend (Sir Richard Cartwright) and passed by parliament. That Act has not been received in the other House with anything like favour, and I regret to say that there is an idea that there is no necessity for such an Act in the Dominion of Canada. If we turn to New Zealand, a colony as prosperous as Canada, and whose exports according to population, man for man, are double those of Canada, we find that they have passed an Act which is creditable to themselves, and would be a credit to us if we copied it. I did not approve altogether of our Annuities Act, because it did not go far enough. Mr. Bastedo, in a lecture delivered in Toronto, stated that the Act covers every man, woman and child in Canada. That statement is far from being correct. It includes only those who are capable of paying a certain sum every month or every quarter. If there is any necessity for such legislation in New Zealand, surely there must be necessity for it in Canada, where there are thousands of people who are incapable of paying any amount at all. Those people are left out in the cold; there is nothing provided for them in any shape or form. They could say with Burns:

> 'Death, the poor man's dearest friend,
> The kindest and the best,
> Happy the hour my aged limbs
> Are laid with thee at rest.'

I hope there is sufficient generosity of feeling in the other House to see that the Act will not be thrown out altogether, but that it will be amended to conform to the New Zealand Act, which provides that a man of sixty-five years of age that has been twenty-five years in the colony, and against whom no charge of crime or offence was ever brought, shall be entitled to a pension. New Zealand has been in advance in every kind of sensible legislation, perhaps more so than Canada, and I hope that some of the representatives in the other House will see that our Annuities Act is amended to make it the same as that of New Zealand.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am not going to enter into a discussion with my hon. friend behind me as to the merits or demerits of the Annuities Act, or the New Zealand Act, but I take this opportunity of calling the attention of the Senate and of the other House to a very serious error which was made in the discussion there last Wednesday. I observe that the minister who succeeded me, the present Minister of Trade and Commerce, made a most misleading statement, not intentional I presume, but a most misleading statement as to the number of persons who had availed themselves of that Act, and I notice that several members who discussed it afterwards followed his lead. He said, that 314 annuities had been taken, whereas the actual fact is there were nearly 3,000—I believe the exact number is 2,800, or thereabouts—who had entered into contract with the government for purchasing annuities. The underlying question which the hon. gentleman has alluded to is one of very great importance. I will merely say that it would be, in my opinion, in the present condition of this country, a disgrace to Canada if we introduced a measure for granting old age pensions. It is not for us to provide for a submerged tenth, but to see that there is no submerged tenth in Canada.

BILL INTRODUCED.

Bill (No. 19) An Act to amend the Inquiries Act.—Hon. Mr. Lougheed.

SALE OF BREAD BILL.

IN COMMITTEE.

Hon. Mr. CASGRAIN moved that the House resolve itself into a Committee of the Whole on Bill (D) An Act respecting the sale of Bread. He said: Since the Bill was before the Senate, and consequently before the public, I have heard nothing but praises in the press and elsewhere of the measure. Before you, Mr. Speaker, leave the chair, it is desirable that we should know what the policy of the government will be on this measure, and for that purpose, and in order

to enlighten the government, I may be allowed to read a few words from the 'Montreal Herald.' The following is from an article in the issue of that paper of December 28, 1911, under the heading 'The Weight of Bread':

Senator Casgrain succeeded a few days ago in heading off a movement to refer his Weight of Bread Bill to the Private Bills Committee, and getting January 25 named as the date for its hearing in Committee of the Whole—a distinct tactical gain, as it prevents the measure from being quietly smothered while nobody is looking. The condition of things in regard to the weight of bread in this country is far from satisfactory and the senator is entitled to considerable gratitude for his persistence in bringing it before the attention of the lawmakers. There is the usual confusion between the powers of the provinces and those of the Dominion, and the clause of the British North America Act, which gives the Federal parliament power to deal with 'weights and measures' will not be universally regarded as covering such a question as the enforcement of a particular size in a particular commodity. There is legislation in the province of Ontario on this subject, which appears in some localities at least to be working well; and there is legislation in Quebec, which has not been dazzlingly successful in providing full-weight in the city of Montreal.

In itself, apart from the question of the place in which it is proposed to enact it, Mr. Casgrain's measure is simplicity and common-sense itself. It establishes a difference between the permissible maximum size of 'fancy bread' and the minimum size of standard bread, which would prevent any possible confusion between the two; and it enacts a standard size of six pounds for the great loaf, which may be divided into halves and quarters, but not otherwise. It requires that accurate scales shall be kept wherever the bread is sold and that the seller shall weigh the bread upon demand; the penalty for infringement is limited to twenty-five dollars. It would appear as if some provision should be made for the sale —of course at bargain prices, and with due warning to the customer—of loaves which have accidentally failed to come up to the standard, for the loss of weight in baking is somewhat variable. The principle of the Bill, however, is one against which no serious objection can be taken. Its effect must be to assist the honest baker and embarrass the man who seeks to make his profit by cutting the size of his loaves, so that the better element of the trade itself should be in its favour.

I may say further, without discussing the Bill, in order that the representative of the government in this House may be aware of the fact, that in the city of London, whenever one buys a loaf of bread, it is placed on the scales, and if it falls short of the weight, a piece of bread is cut from another loaf and added to it, and people in the trade for years have never seen anybody neglect to take the extra piece thrown in to make up the full weight. I should think this measure would appeal to this Chamber. When the question was discussed before, a great many hon. members spoke in favour of it, and I have no objection, if the government requires more time to look into such a weighty measure as this, that it should be delayed for a few days, but I desire that the Bill may be put through and sent to the other House as soon as possible. There has been in our province, and I understand in the other provinces also, a great demand that people should be able to buy bread by the pound and not by the loaf. The 'Montreal Witness' published a sort of appeal from the bakers, stating that the people did not care what they paid for bread, it was the quality they were looking for, and the price or the weight of it was of no consequence if the quality was there. Under the pretense of making bread of a special quality, the weight is not put in such loaves, and as hon. gentlemen know, tickets are generally sold by the dozen. Each ticket represents a four pound loaf, or a two pound loaf, and sometimes the baker will give a loaf weighing a pound and three-quarters, or possibly one pound and a quarter for a ticket calling for a two pound loaf. The bread is not weighed. I have taken special pains to inquire into the matter and I have learned that very few of the heads of families know the weight of bread they are giving their tickets for. Many people have told me, 'I have been giving a ticket for a two pound loaf, and receiving a loaf weighing a pound and a quarter, or perhaps a pound and a half, and when I remonstrated with the baker he said 'It is true that it only weighs a pound and a quarter, but it is made of superior flour and is better bread.' I am informed that the bread is all made from the same quality of flour, only of a different shape, perhaps a fancy form. Before pressing my motion I should like to hear what the policy of the government is.

Hon. Mr. LOUGHEED—I cannot say if the government has any policy on this question; but reference of a Bill of this nature should be made in some way to the depart-

ment that in all probability would be charged with its enforcement, and I shall take the opportunity of referring it to that department, namely Inland Revenue. I presume my hon. friend would expect this measure to be enforced under the Sale and Inspection Act. The difficulty which I see in the way of this Bill, in looking over it casually, is that no machinery is provided for its enforcement. If my hon. friend wants it to be effective, it seems to me he should give a little more consideration towards providing machinery for the proper administration of the Act. One difficulty that faces us in connection with the Bill as it appears before us, is that nearly all the provinces have passed almost similar legislation. It is copied, very nearly word for word, from the Ontario Act, and I understand there is an Act in force in Quebec which has practically the same object as this Bill. I need not point out that it is very undesirable that legislation should be duplicated in the provincial and federal parliaments. If legislation of this kind is placed upon our statute-book, and similar legislation is placed upon the statute-books of the provinces, then it becomes nobody's business to enforce the law. I shall take the earliest opportunity of speaking to the minister in charge of this particular department in regard to the Bill, but would suggest in the meantime that some provision should be inserted in the Bill looking to its enforcement if it becomes law.

Hon. Mr. DAVID—When this Bill was before the Senate on a previous occasion, I moved that it be referred to the Private Bills Committee, but I did not insist, because the hon. member from De Lanaudière wanted the Bill to go before the Committee of the Whole, and I reserved my right to make a motion when the question came up, to refer the Bill to the Private Bills Committee.

Hon. Mr. CLORAN—Is it a public Bill?

Hon. Mr. DAVID—We should send this Bill to the Private Bills Committee, as we have done with such measures before, because it is a Bill which requires a good deal of consideration, especially as legislation of a similar character has been passed by the different provinces.

Hon. Mr. BELCOURT—What is the statute in Quebec?

Hon. Mr. DAVID—There are many statutes. The matter has been considered by the legislatures of both provinces long ago. There is a statute in Ontario authorizing the municipality to pass by-laws concerning the sale and weight of bread, enacted about twenty years ago, and I may say that the first year after confederation some provision was inserted in the statutes of the province of Quebec, and the municipalities were authorized to pass by-laws in regard to this matter. One of the reasons why I ask that the Bill be referred to the Private Bills Committee is to enable the different governments which have passed legislation on this subject to be heard, if they desire, and I have reason to think that the government of Quebec intend to be heard. If they do not appear before a committee of this Chamber they will go before the House of Commons. I think we owe it to the dignity and the good reputation of the Senate to do what the House of Commons will do, and to give this Bill all the consideration it deserves. A great many parties in the province of Quebec are interested in this measure. They desire to be heard and we should give them an opportunity of placing their views before us. There are two principal objections which can be urged against this measure. In the first place, I have great doubt—and I think the hon. gentleman from Halifax expressed a similar view—as to the constitutionality of this Bill. It is very true that section 91 of the British North America Act includes weights and measures in the list of the articles which come under the jurisdiction of the federal parliament, but what does that mean? I am inclined to think that the clause does not apply to a matter of this kind, but rather applies to the instruments which are used to weigh and measure the different articles. It refers probably to the weight of wheat and grain in general, and perhaps to the weight of a bag of potatoes or of other produce sold for export. Although I am not ready to admit that the Bills which we have

passed on different occasions were strictly constitutional, I admit that articles of trade and commerce exported to other countries, should be measured in the same way, by the same instruments, by the same weight and measure, because it is in the interest of trade and commerce and of the whole country. But does that apply to bread or candy or foodstuffs usually consumed in the locality in which they are produced? I think it would be going too far to say that it does. Bread is a matter of private local and provincial character. Clause 92 of the British North America Act provides that all matters of a local and provincial character are within the jurisdiction of the provinces. If hon. gentlemen do not recognize the strength of my argument on the question of constitutionality, I think they will have no doubt on the point I now make, that even if it is constitutional, it is inexpedient and improper to pass such legislation, because similar legislation has been enacted by other provinces, especially Ontario and Quebec, and the Governor in Council has never seen fit to disallow those Acts; therefore it is fair to presume that the provinces have jurisdiction in these matters. These laws passed in Ontario and Quebec have been in existence for twenty years. What reason has been given why the federal parliament should intervene in such matters? If the laws enacted by the legislatures are not perfect, it is easy to have them rectified, and it is only necessary to apply to those provinces to have the Acts amended. Is it proper for the Dominion to enact legislation which will conflict with Acts passed by the local legislature? I am inclined to think that the law of Quebec is better than this Bill.

Hon. Mr. CASGRAIN—If we pass this enactment here it will be all right.

Hon. Mr. DAVID—There was a law passed in Quebec, amended last year by chapter 40 of the Statutes of Quebec, as follows:

'Notwithstanding any law to the contrary, all bread sold, or made for sale within the limits of the province, shall be made of good and wholesome flour, and baked in loaves of one, two, three, four, five or six pounds or more, but without any fraction of a pound, &c.'

The section also provides that the loaves shall bear a label of three-quarters of an inch square with the baker's name on them. In virtue of this provision, the city of Montreal passed a by-law in conformity with it. What more could we expect to give as a guarantee to the consumers of bread? The Ontario statute gives to the province the same right as has been given to the municipality of Quebec.

The SPEAKER—Does the hon. gentleman intend to move an amendment?

Hon. Mr. DAVID—Yes, I desire to move that the Bill be referred to the Private Bills Committee.

The SPEAKER—Then I will put the motion so as to allow the hon. member to speak to his amendment. It is moved that the Bill be referred to a Committee of the Whole House.

Hon. Mr. DAVID—In view of the doubt which must exist in the minds of hon. members in this House as to the constitutionality of this Bill, in view of the legislation which has been passed by the different provinces of Canada, or which they may pass, in view of the fact that this Bill would come in conflict with local legislation and would cause much annoyance and conflict between the federal and local authorities, I had intended to move that the House do not form itself into a Committee of the Whole to-day, but that it resolve itself into a Committee of the Whole this day six months. However, I think I shall content myself with moving that this order of the day be discharged and that the measure be referred to the Private Bills Committee.

Hon. Mr. POWER—The hon. gentleman from Mille Isles has told us that the subject matter of the Bill comes within the jurisdiction of the province of Quebec, and that hon. gentleman has been from the beginning a sincere and earnest advocate of the rights of provincial legislatures. That is a point on which I quite agree with the hon. gentleman. There may be some question as to whether parliament has the right to legislate on this subject, but my own impression is that we have a right to deal

with it, and I think it is our duty to do so, because the evidence submitted to the House by the hon. gentleman from De Lanaudière goes to show that gross wrong and injustice are now perpetrated on the people of Montreal, and the hon. gentleman speaks with knowledge.

I have no doubt that the same condition of things exists in other provinces, and as we are charged with the good government of the whole country it is our duty to see that this wrong and this injustice are, if possible, remedied. It is true there have been enactments by the local legislatures, but it is clear from the statements made, and which are sustained by the evidence submitted by the hon. gentleman who introduced the Bill, that these enactments have not been operative, and that notwithstanding the enactments of the local legislatures, the abuse and injustice continue. While I am a great believer in sticking by the constitution, the mere fact that there is some doubt as to the constitutionality of a measure is not a sufficient reason why we should not proceed with it, if on further inquiry we find that the Act is within the power of parliament. I, therefore, hope that the House will not reject this Bill. The hon. gentleman from Mille Isles (Hon. Mr. David) has moved that the Bill be referred to the Private Bills Committee. If that motion had been made at an earlier stage I should not have been disposed to quarrel with it, but, as a matter of fact, after the second reading of this Bill the question was discussed as to whether it should be referred to a select committee, or to a Committee of the Whole, and the House at that time solemnly decided that the Bill should be referred to a Committee of the Whole. We cannot in the face of that order with any proper regard to the procedure of this House, undertake to reverse our decision, and send it to the Committee on Private Bills, which I do not think is the proper committee in any case. I should make this suggestion to the hon. gentleman who is in charge of this Bill: He has got his Bill now in a pretty forward position, and inasmuch as the hon. leader of the House has expressed a desire to consult his colleagues, and particularly that one of his colleagues whose department would be charged with the administration of the Act, as to what changes or amendments might be necessary, and as it should be our desire to make the measure as effective and perfect as possible, the mover of the Bill should allow it to stand at its present stage until the hon. leader of the House is in a position to report to us the opinion of his colleagues.

Hon. Mr. OWENS—I think the majority of this House will agree with the hon. senator from Mille Isles that this Bill should be referred either to the Private Bills Committee, or a select committee. The promoter of the Bill is in error in stating that the people of Montreal unanimously favour this measure. I would judge to the contrary from the different telephone messages and letters I have received from Montreal opposing the Bill. Since this discussion arose, while the hon. member from Mille Isles was speaking, I received a telegram from the city of Montreal that would show that the people most interested, the bakers in Montreal, are unanimously opposed to the measure. The telegram is as follows:

Montreal, January 25th, 1912.

Senator Owens,
Parliament Building, Ottawa.

Montreal bakers opposing Bill and will forward petition soon as possible.

JAS. M. AIRD.
JAS. STRACHAN.
F. COURSOLLE.

Hon. Mr. POWER—The bakers—certainly.

Hon. Sir RICHARD SCOTT—The bakers probably want to support the fraud.

Hon. Mr. OWENS—The bakers deserve to be protected as well as others.

Hon. Sir RICHARD SCOTT—Not in fraud.

Hon. Mr. OWENS—We are not admitting there is fraud.

Hon. Sir RICHARD SCOTT—Then the Bill will not be operative.

Hon. Mr. OWENS—The bakers of Montreal have been put to very great expense by being obliged to change their machinery and pans on account of legislation that was passed by the Quebec legislature last year. Now, if this Bill should become law it

would affect the bakers of Montreal, not only with regard to four sizes of bread—there are many sizes of bread, and different varieties of bread—but they would be obliged to change all their pans and machinery, again involving great expense. That is not fair. My object in speaking is to second the motion made by the hon. senator from Mille Isles that this Bill should be referred either to the Private Bills Committee, or to some other committee of the House in order that people who are opposed to it may be heard. If it goes to a Committee of the Whole House they cannot be heard.

Hon. Mr. CLORAN—There has been a great deal of unnecessary discussion over this matter, especially from a constitutional point of view. The object of the Bill is as simple as possible—to secure 16 oz. of bread to the pound for the money you pay. If bread is worth three, or four, or five cents the pound, let the baker give the 16 oz. for his three, four or five cents. The sole object of the Bill is to secure for the consumer the protection of law against the fraudulent seller.

Hon. Mr. DAVID—If that can be secured by provincial legislation, why not do it that way?

Hon. Mr. CLORAN—It can be secured by provincial legislation, but it can be better secured under the Criminal Code of the Dominion parliament, and I for one would not hesitate to put this Bill under the Criminal Code. That is where it ought to be. The object of the Bill is to secure for the poor working man with a large family one pound of bread when he pays the price for a pound, whatever the kind of loaf may be. I have personal experience that first-class bakers in Ottawa selling their bread at a good price, give three pounds for four. I make that statement on the floor of this House, having personal experience of the matter. That does not amount to much in my case; but take the case of a poor man with a family of eight or nine children to feed, to give him three pounds when he is paying for four is a crime.

Hon. Sir RICHARD SCOTT—Hear, hear.

Hon. Mr. CLORAN—It should appeal to every member of parliament to protect the consumer. It would not pay me to lodge a complaint against the baker who gives me three pounds when I pay him for four. This Bill, as far as I understand it, provides against that. It does not prescribe the shape or quality of the loaf; it simply provides that when a man buys bread he gets sixteen ounces to the pound. The provincial legislature and the municipalities can dictate the form and quality of the loaf if they see fit to do so, but parliament should demand that the baker give the full weight of the bread he sells. That is not done in Montreal or in Ottawa. I cannot understand how the hon. gentleman from Mille Isles opposes this measure on constitutional grounds. It does not interfere with provincial legislation. There should be a criminal penalty for a breach of this measure. There is no doubt the poor man to-day is not getting what he is paying for. Parliament has taken precautions to safeguard the consumer against short weight in potatoes, wheat, oats and many other commodities. Why not safeguard the consumer when he is purchasing bread which is practically the main article consumed by very many families throughout the country. I fail to see any ground for opposing the measure.

Hon. Mr. OWENS—Under this Bill the baker cannot make a two-pound loaf, or a one-pound loaf, or a half-pound loaf.

Hon. Mr. CLORAN—If that is the object of the Bill, I would be opposed to it. We have no right to dictate to the baker how he shall make his bread.

Hon. Mr. OWENS—That is precisely what this Bill does.

Hon. Mr. CLORAN—Then I would be against the Bill. What I want is to require the baker to give 16 ounces to the pound.

Hon. Mr. DERBYSHIRE—Provided you buy a loaf which is short in weight from a baker have you not the right to prosecute him without this legislation? Anybody may prosecute for having received short weight in anything he purchases.

Hon. Mr. CLORAN—What is everybody's business is nobody's business. It is not worth while for one man to prosecute another for two cents. The object of the Bill is to require that if the consumer wants to have his bread weighed, it must be weighed in his presence. I should like to see the hon. gentleman go to a store and buy butter without having it weighed; or purchase tea without knowing he was getting full weight. Would he depend upon the clerk putting the scoop into the tea chest and taking out exactly the amount he wanted to purchase? The same way with bread. There is no difficulty in a baker carrying a scales, and if he is an honest baker he will not need to use it. Once his customers have faith in his honesty they will not exact weighing the bread every day. The object of the Bill in that regard is to safeguard the rights of consumers. An ordinary little scales will do, and if a loaf weighs only fourteen ounces the consumer will pay for only fourteen ounces. Parliament ought to protect the poor man, because to-day he is robbed right and left.

Hon. Mr. CHOQUETTE—We have now three propositions before us. The first one by the promoter of the Bill is to consider it in Committee of the Whole. The second is the amendment my hon. friend who wishes to refer the Bill to the Private Bills Committee, and the third comes from the hon. member from Halifax (Hon. Mr. Power) that the Bill ought to stand until we have the opinion of the leader of the House on this question. I would be in favour of the two last propositions. I am quite willing to let the Bill stand until the leader of the government can consult his colleague and inform the House what his opinion is. I am also prepared to vote for the motion to send the Bill to the Committee on Private Bills. Although it is a public Bill, we can and we ought in this case to send this Bill to the Private Bills Committee, and then inform the provinces that such a measure is under consideration and let them be represented before the committee if they think proper to do so. We have already the Ontario law which has been referred to, and we had an Act passed by the Quebec legislature last session dealing with the question. That law has not been disallowed. The government have twelve months within which to disallow a provincial Act. That Act was assented to on the 24th of March last, so the government of the Dominion has nearly three months within which to disallow the Act if they think it is desirable to do so. Looking over section 91 of the British North America Act which includes weights and measures, I believe that the Bill is properly presented to this House; but in view of the fact that the provinces have legislated on the same subject, I think we should suspend the Bill at least until we have the opinion of the leader of this House. He will consult the Minister of Inland Revenue, who will no doubt, consult the Minister of Justice. The Minister of Justice will see whether the law of the Quebec legislature should be disallowed, and we will be in a better position to deal with this matter than if we proceeded now. There is no special hurry to pass the Bill. It seems to me there is a great danger in having provincial and Dominion laws which are contradictory, or even to the same effect on any question, because they would be inoperative. If anything arises under the Dominion law which is covered also by a provincial law, the Minister of Justice will not direct that criminal proceedings be taken, but will refer the matter to the province to be dealt with under the provincial law. Again, if application is made to the Attorney General of the province, the Attorney General will say: 'You should go to Ottawa, because there is a Dominion law dealing with the matter.' Thus it happens that both laws are dead letters. Take the Sabbath Observance Act as an illustration. We have local and Dominion laws on the subject with the result that nothing has been done to enforce either.

Though we have authority to deal with this Bill I think we ought to refer it to the Private Bills Committee. The clerk of the committe should be given instructions to notify the provinces, and they can be represented here if they think it necessary. They will be in a position to ask on what authority we undertake to pass this Bill, and we will know where we are.

Hon. Mr. CAMPBELL—I cannot understand why the promoter of the Bill should refuse to refer it to a committee. If there

are any objections to the measure, parties who are interested will have an opportunity to be heard. I am quite sure that the Ontario government will oppose the passage of this Bill, and I think the Quebec government will follow the same course. So far as the bakers of Toronto are concerned, I do not think they care very much about it except they would like to have the loaves a little different. Then labels will be put on the bread, and if the loaves are not up to the right weight, the bakers whose bread is under weight will be liable to heavy fines. We all agree with the hon. gentleman from Victoria division (Hon. Mr. Cloran); nobody wants the poor man to pay for sixteen ounces of bread when he gets only fourteen. That is all buncombe.

Hon. Mr. CLORAN—It is not so. I know from personal experience.

Hon. Mr. CAMPBELL—I am speaking of the members of this House; no senator wants anybody to pay for sixteen ounces of bread when he is getting only fourteen, and I do not believe they are doing it. The hon. senator from Halifax says that a gross wrong has been perpetrated. What evidence has he of that? Have any petitions been presented in this House asking for the passage of this Bill? Has any evidence been submitted to this House that bread is sold under weight in Montreal? I can speak for the city of Toronto, and the province of Ontario, and I say that the bakers of this province put the full weight in their bread as represented by the tickets. Until lately, local inspectors were continually confiscating lightweight bread. That does not occur now, but it used to be a matter of frequent occurrence. The bakers find it does not pay to give short-weight, and they are careful to have their bread up to the standard. I do not know how it is in Montreal, but there is a good law there passed by the Quebec government, and there is a heavy penalty for any infraction of the Act. Are they enforcing that law, or are they not? We have no evidence that they are not enforcing it. I do not know what the city of Montreal is doing. They have all the machinery for carrying out the law, and if poor people in that city are not getting the weight of bread they are paying for, it reflects very seriously on the authorities of Montreal. I am free to say I do not believe that such is the case. It is not the case in Toronto anyway; I can speak with authority on that point. My object in supporting the motion to have the Bill sent to a committee is that all interested parties shall be heard. There need be very little delay. We can have the Bill reported back to the House in a very few days. In a matter of this kind that is the proper way to proceed. We cannot hear the interested parties if the Bill is sent to a Committee of the Whole House, and I would, therefore, urge the promoter of the Bill to consent to have the Bill referred to a committee. It seems to me that when the provinces having legislated in this matter, legislation by parliament is unnecessary. If we pass the Bill, who is going to enforce it? We would be merely duplicating the laws already passed, and which are now on the statute-books of the provinces. I think all the provinces have legislated on this subject, and it seems to me it is unwise for us to proceed any further with this measure. If the House thinks it is wise to proceed, the only fair way is to refer the Bill to some committee where any objections which there may be to it can be urged.

Hon. Mr. POIRIER—Personally I am in sympathy with the motives which prompt the hon. gentleman from De Lanaudière inasmuch as the buyer of bread should get the weight of bread he pays for; but I am puzzled by the objection he appears to have against loaves of bread weighing one or two pounds.

Hon. Mr. CASGRAIN—There is no objection whatever as long as the weight is stamped on the loaves.

Hon. Mr. POIRIER—I must be reading the Bill improperly and giving it a different interpretation from the one he places upon it. Clause 2 reads as follows:

> Except as provided in subsection 2 of this section, no person shall make bread for sale, or sell or offer for sale bread, except in loaves weighing six pounds avoirdupois or one-half or one-fourth of that weight.
>
> 2. Small bread may be made for sale, offered for sale and sold in any weight not exceeding twelve ounces avoirdupois.

It must weigh six pounds or one half of six pounds, which is three pounds, or one-fourth of that weight, which is one pound and a half. This will compel the bakers to make bread of those specific weights, precluding them from making loaves weighing one pound. What objection has the hon. gentleman to loaves weighing one pound?

Hon. Mr. CASGRAIN—None.

Hon. Mr. POIRIER—By this Bill the bakers will be precluded from making such loaves.

Hon. Mr. DAVID—That will be corrected.

Hon. Mr. POIRIER—I am not sure what legislation they have in New Brunswick, but if they have not the same legislation in other provinces, this Bill will be apt to do mischief, because I do not see that the other provinces of the Dominion should adopt the same standard of loaves which Quebec has adopted. It would not do to say that all the provinces must adopt laws identical with the laws of Quebec. It would not do to force New Brunswick to adopt laws which are legal in Quebec alone, or possibly in Ontario. There is no justification to make these uniform, unless the provinces are willing to adopt these standards. I agree with the hon. gentleman from Mille Isles that this legislation, however desirable, should be left to the provinces. Until we are sure that these different weights conform with the weights in force in the provinces, I will object to the measure.

Hon. Mr. DANDURAND—I understand that the hon. gentleman from De Lanaudière has no objection to adjourn the discussion for a week or so, till the leader of this House obtains the opinion of the government or of his colleague, the Minister of Inland Revenue, on the Bill. The Bill can simply be adjourned to a given date. If the hon. gentleman deems proper after a certain time has elapsed to press his Bill I confess I would be very much in favour of having it sent to a committee, in order that we may have some evidence as to the custom of trade. I would not like that our legislation should upset any trade custom. We could have the bread inspectors of Toronto, Ottawa and Montreal give us their views as to the operation of provincial laws up to this moment. I am sure my hon. friend desires with us all that when we do make federal legislation, it will be in the best possible direction, and with the best possible experience that can be furnished by people who have been enforcing the laws up to the present time.

Hon. Mr. DAVID—I cannot consent to the proposition of the hon. gentleman. I do not want to take the responsibility. I consented once before and I had reason to regret it, and I desire a vote to be taken. If the measure be sent to the Private Bills Committee the Minister of Inland Revenue may be consulted, but I do not want to be bound by the department.

Hon. Mr. DANDURAND—Nobody would be bound.

Hon. Mr. DAVID—The Bill will be in its proper place where parties interested can be heard, and then it will be time to consult the department if necessary; but I think the Senate should take the responsibility of deciding whether it is expedient to pass such legislation, in view of the legislation which has been passed, and which is better than this Bill—the legislation passed in Ontario and Quebec. We should decide whether we have a right to pass this Bill.

Hon. Mr. EDWARDS—I think my hon. friend is making a mistake, so far as his best interests are concerned. I am in favour of dealing with the Bill as he suggests—that a committee shall be appointed—but my view is that the suggestion of the leader of this House should be accepted. He suggests that the Bill in its present form will not be effective. There is no machinery to enforce it, and he desires to discuss the matter with the Department of Inland Revenue to ascertain whether machinery may be provided. It does not interfere with the action this House will take. I shall be glad to support my hon. friend's suggestion. If there are outside interests to be heard it is only fair that they should have an opportunity of stating their views, but at the present moment, in his own interest,

I think the hon. gentleman from Mille Isles should accept the suggestion of the hon. leader of this House.

Hon. Mr. WILSON—I think it is a mistake to send this Bill to a select committee. There is a doubt among hon. gentlemen whether this subject comes within provincial or federal jurisdiction, and if we send it to a select committee the committee will send back a favourable or unfavourable report, and we shall obtain no opinion as to its constitutionality. It comes under either provincial or Dominion authority. If it is a provincial matter we have no right to deal with it. Of course we all desire that the workingman shall receive justice, but will he receive any more justice from the Dominion than from the province? We should be careful not to deprive the local legislature of the right to legislate in a certain direction. The leader of the House should obtain the opinion of the Minister of Justice as to whether we have jurisdiction. I do not think we are treating the bakers fairly. We cannot charge them with being dishonest. I do not look upon the bakers of Montreal and Toronto as being dishonest men. I do not say they are doing an injustice to the labouring man. I believe bakers are as a rule honourable men. It is wrong to make charges in this way. I feel that it is hardly fair to submit this measure to the Private Bills Committee until we are in possession of further information as to our powers in the matter. We are daily encroaching upon the prerogatives of the provinces and we should not do it. Let it remain where it is until the leader of the House says that it is within the competence of the Dominion to legislate, and that it would be no injustice to the local legislatures to take it out of their hands.

Hon. Mr. DAVID—I consent to accept the suggestion made by some hon. gentlemen to have the whole matter suspended.

Hon. Mr. CASGRAIN—I have not spoken on the amendment, but I want to show the great inconsistency of the hon. gentleman from Mille Isles. He states that this Bill is not within the jurisdiction of parliament, and in the same breath he moves to have it referred to a committee. That is quite inconsistent. If the Bill is ultra vires of parliament we have no right to deal with it at all, and it should not be referred to any committee.

Hon. Mr. DAVID—I never said that the Bill was unconstitutional. I said that I had doubts as to its constitutionality.

Hon. Mr. CASGRAIN—It was agreed two hours ago between the leader of the House, and the promoter of the Bill that we would allow it to stand for a sufficient time to enable the government to announce their policy on the subject. So that if my hon. friend will allow his amendment to be withdrawn——

Hon. Sir RICHARD SCOTT—He has stated that he will withdraw it.

Hon. Mr. CASGRAIN—The leader of the government says that I did not provide machinery for the working of the Bill. I did that for a good purpose. In the first place, it is wide open for any one to prosecute under this Act. If I had named any officer it would have made this a money Bill, and I would have no right to introduce it; so that there was a little method in my action as the hon. gentleman will understand. If it is the desire of the government to add to the Bill, and provide the funds necessary for its enforcement, I shall be pleased. I shall go further; if the government will make it a government measure I will be delighted; but in the meantime I move that the debate be adjourned—

The SPEAKER—The hon. gentleman cannot make a motion to postpone the debate on the discussion of an amendment where he has already taken the floor.

Hon. Mr. LOUGHEED—I move that the debate be adjourned until a week from Tuesday next.

The Motion was agreed to.

SECOND READING.

Bill (F) intituled: 'An Act to incorporate Revillon Frères Trading Company Limited'.—Hon. Sir Richard Scott.

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

THE SENATE.

FRIDAY, January 26, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

IMPORT AND EXPORT TRADE OF THE DOMINION.

INQUIRY.

Rt. Hon. Sir RICHARD CARTWRIGHT inquired:

What is the amount of imports from the United States to Canada for the nine months from the 1st of April to the 31st December, 1910, and from the 1st April to the 31st December, 1911, and also, the amount of exports from Canada to the United States during the same periods?

Hon. Mr. LOUGHEED—The answer to the hon. gentleman's question is as follows:

	9 months. 1910.	9 months 1911.
Imports for consumption —dutiable	$110,930,139	$144,699,384
Imports for consumption —free	97,225,704	119,714,332
Total	$208,155,843	$264,413,716
Exports, domestic produce	$81,288,208	$74,759,289
Exports, foreign produce	9,048,893	11,578,064
Total	$90,337,101	$86,337,353

Rt. Hon. Sir RICHARD CARTWRIGHT—I am afraid not much progress is being made in reducing our trade with the United States.

UNEARNED RAILWAY SUBSIDIES.

MOTION.

Hon. Mr. McSWEENEY, in the absence of Hon. Mr. Domville, moved:

That an humble address be presented to His Royal Highness the Governor General, praying that His Royal Highness will please to cause to be laid before the Senate a statement of unearned railway subsidies either in land or in money granted before confederation by the government of United Canada or by the government of New Brunswick, Nova Scotia or Prince Edward Island.

Hon. Mr. LOUGHEED—It would seem to me that parliament would not have the information referred to in the latter part of this motion. It is information that would be particularly obtainable from the provincial governments named. Another difficulty that may possibly arise is whether parliament will have such information as is asked for in this motion anterior to confederation. I point that out as a difficulty which may possibly confront us.

Hon. Mr. CLORAN—When these provinces came into the confederation they carried everything with them, did they not? Everything is therefore in the hands of the Dominion government.

Hon. Sir RICHARD SCOTT—The lands were not.

Hon. Mr. CLORAN—The lands were not, but the information as to the standing of the different provinces was.

The motion was agreed to.

CABINET REPRESENTATION OF THE PROTESTANT MINORITY IN QUEBEC.

INQUIRY.

Hon. Mr. CLORAN rose to

Ask the government how and why it is, that the English Protestant minority of the province of Quebec is without an active and responsible representative in the government of the day?

Although this question is in my name, I am not particularly interested in the matter, probably not more than the vast majority of this honourable House. The English speaking Protestant minority in the province of Quebec, ever since it has been a portion of the British Empire, have had representatives in all governments, active representatives, and to-day for the first time in its history, we find that province one of the most influential in the Dominion, is without such representation in the government of the day. Some may think it strange that I should advocate the rights of that minority as I have enough to do to look after the rights of the other minority, but I am open minded and fair minded enough when there is nobody to look after the rights of the other minority

to do so myself. I may be told that the English speaking Protestant minority of Quebec have a representative in the cabinet in the person of Mr. Perley, but Mr. Perley is not accepted as a Quebec representative. He is an Ontario man who has certain lumber interests in Argenteuil, and is elected thereby, but he is not an active representative of the people. I know from friends in Quebec that they feel very sore over the matter, that their representation has been lost under the present government. These are some of the reasons why I placed this inquiry on the order paper. I think it is a legitimate question and one which ought to be answered and which the people of the province of Quebec will expect to have answered. I have no animus in the matter. I would do the same thing for my own people if they were in the same position. I have undertaken the task probably not to the taste of some, but I have undertaken it in the interest of justice and fair play to the minority in the province of Quebec.

Hon. Mr. LOUGHEED—I am sure the minority in the province of Quebec will appreciate deeply the solicitude of my hon. friend; but the government feel that the rights of the minority in Quebec can be very safely entrusted to the present representation in the cabinet from that province.

Hon. Mr. CLORAN—If that is all the satisfaction they will get it is not much.

QUEBEC HARBOUR COMMISSIONERS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 31) An Act to amend the Quebec Harbour Commissioners Act, 1899.

He said: This Bill proposes to reduce the representation on the Quebec Harbour Board to three in number. For a number of years, representations have been made to the federal government that the Harbour Commission of Quebec should be brought in to line, so far as its constitution is concerned, with the Harbour Commission in Montreal. The boards of trade of the city of Quebec and also of Levis have repeatedly asked and pressed very strongly upon the government that this be done, entirely irrespective of the political composition of these boards of trade. I understand the present board is composed of nine members. It is needless to point out to hon. gentlemen that the efficiency of the board will be improved by reducing it to three, inasmuch as those three will be called upon to give special attention to the duties pertaining to that particular office. Heretofore the duties were performed in a somewhat indifferent way, and it was represented to the government that the provisions incorporated in this Bill would render the commission a more efficient body.

Hon. Mr. POWER—I think the hon. leader of the House omitted a somewhat important point in telling us what the effect of this Bill would be. I do not question the policy of reducing the number of members of the Quebec Harbour Board, but the hon. gentleman forgot to tell us whether or not that was the sole object of the Bill. It would be interesting to the House—I do not know that it would affect our action, but it might possibly—if we were given to understand that the most deserving and useful members of the present board were to be retained. Otherwise we shall be divided between two opinions, as to whether the principal desire of the government is to improve the constitution of the board by reducing the number, or to improve it by substituting supporters of the present government for supporters of the late government. I think the hon. gentleman should give the House to understand at least whether it is proposed to continue any of the present commissioners in office, or whether it is proposed to substitute gentlemen whose views are in harmony with those of the present government.

Hon. Mr. LOUGHEED—My hon. friend could scarcely expect the present government to appoint, say three harbour commissioners diametrically opposed to them in politics, but I might point out that the composition of the new board was discussed in the House of Commons and the question was asked as to who the three new commissioners would be, and the following statement was then made:

Sir WILFRID LAURIER. Who are the three new commissioners?

Mr. PELLETIER. Mr. Victor Chateauvert,—

Sir WILFRID LAURIER. Very good man except for his politics.

I presume my hon. friend from Halifax will accept that as a recommendation of the first name.

Mr. PELLETIER. That part of it we are going to take care of ourselves. I am glad to hear that the appointment is good in all other respects. We have appointed another gentleman to whom I am sure the same certificate will be given by the right hon. leader of the opposition, that is Mr. J. B. E. Letellier, a name which will appeal to the hon. gentlemen on the other side. There is no fault to find with him, I suppose.

Sir WILFRID LAURIER. No.

Mr. PELLETIER. The third is Mr. Belleau, who has always been considered a good Liberal.

That is about as much information as I can give my hon. friend in reference to the composition of the board, and I suppose he will be satisfied with that.

Hon. Mr. POWER—The statement as to the third commissioner does infuse a little saving grace into the answer, but I think that the question was a natural one, because the right hon. leader of the present government in days past was a very strong opponent of the removal of public officers on political grounds, and a strenuous advocate of the retention of men who did their duty.

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

PUBLIC ARCHIVES BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 66) An Act respecting the Public Archives.

He said: This Bill has for its object the placing of the archives in a more satisfactory condition than that branch of the public service has occupied for some time past. I understand that it is proposed, in the first place, to give the chief officer of the Dominion Archives the status of a deputy minister, and it is also proposed to attach for the time being the archives to the office of the President of the Privy Council.

Rt. Hon. Sir RICHARD CARTWRIGHT —Does the hon. gentleman mean by that to place it under the special control of the Prime Minister?

Hon. Mr. LOUGHEED—Yes, for the time being, but there is a provision in the Bill by which, upon an order in council being passed, this branch of the public service may be transferred to any other department. It is not being made a department in itself, but is placing the archives under the control of the Privy Council for the time being.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not mean to oppose the Bill but I doubt the wisdom of creating an additional deputy head for a matter of that sort. I do not think that the chief officer of the archives is entitled to the position which a deputy head necessarily occupies. This practice of creating additional deputy heads, as my hon. friend will speedily discover, if he does not already know the precedent that he is now establishing, will lead to a number of complications and a good deal of trouble. Placing it under the control of the Prime Minister is a domestic affair; but my impression is that the Prime Minister will find ample occupation for his energies and all his time in keeping his political team together without interfering with the archives.

Hon. Mr. POWER—I think the Bill is rather in the right direction perhaps, but subject to the qualifications indicated by the right hon. leader of the opposition with respect to making the chief officer of the archives a deputy head. I am not quite clear, looking at clause 9 of the Bill, whether the archivist is to be a deputy head from every point of view. That can be considered when the Bill goes into committee. Clause 9 of the Bill provides that:

The Dominion Archivist shall be a deputy head of a department within the meaning of the Canada Evidence Act, and with respect to any of the records or documents under his custody and control he may give any certification or do any act or thing which, under the said Act or any other statute or any regulation, may be given or done by a deputy head of a department of government, and any such certification, act or thing shall have the same force and effect as if given or done by such deputy head of a department.

Just how that may be interpreted I do not know, but I think there is one point with respect to the Bill as to which this House is entitled to a statement from the hon. leader of the government here. This Bill does not say that the present archivist is to be a Dominion archivist. Looking at the course of the government with respect to some other important offices, it may be that it is their intention, when the Bill goes through, to dismiss Dr. Doughty and put some good Conservative in his place. I think at least there should be some assurance from the leader of the government that that is not the intention.

Hon. Mr. LOUGHEED—I thought my hon. friend was going to suggest that that be put in the Bill.

Hon. Mr. POWER—I should be willing to take the hon. gentleman's statement.

Hon. Mr. LOUGHEED—I think I can assure the hon. gentleman that the government has the public interest at heart to a very much greater extent than to introduce a Bill for the purpose of dismissing the present head of the archives. If there be any such object as that, I know nothing of it. The latter clause, to which my hon. friend refers, is simply embodied in the measure to bring it within the Canada Evidence Act, not for the purpose of establishing it as a department. With regard to what my right hon. friend has said, I think it may be urged with every sense of justice, that the placing of the present gentleman who is at the head of the archives branch in the same position as that occupied by a deputy head would receive the approval of both sides of politics in Canada. It can scarcely be expected that a gentleman with the experience and historical knowledge necessary to the head of such a branch of the public service should be compensated with less remuneration than the deputy head of any other department.

However, I simply make that suggestion as warranting the attitude taken by the government on the Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would not object to making the salary of the archivist, if necessary, a little larger, putting it on an equality with a deputy head; but the point I took was that it is not expedient for us to have a multiplication of deputy heads. We had in former times a good deal of experience of that. Sundry departments had certainly two, and I think three deputy heads and it was found to be decidedly inconvenient. If my memory serves me, a deputy head has many special privileges and they cannot be removed at pleasure, but only for cause, and that must be communicated to parliament. However, we can discuss this matter better in committee. I do not want to raise objections at this stage, but the question of making new deputy heads requires a little consideration at the hands of the government and at our hands too.

Hon. Mr. KERR—The gentleman in charge of the archives is an exceptional man, possessing qualifications that it would be difficult to find in almost any other person. The way he has discharged his duties shows that he is qualified for the highest honours that can be bestowed upon him in connection with the archives. He should be free from interference—should be placed in the position of a deputy head. I entirely share the objection to increasing deputy heads. It is very undesirable, and will not meet with favour generally; but this is an exceptional case, and, under the circumstances, should meet with no opposition. There are reasons why the archivist should be free to make his representations direct to the minister rather than through a deputy head. The department is growing in importance every year. I do not know of anything more interesting in the city than a visit to the archives.

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

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

SECOND READING POSTPONED.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 75) An Act to amend the Senate and House of Commons Act. He said: Some representations were made before adjournment of a very serious difficulty which had arisen, and which confronted many hon. gentlemen who have come into this Chamber within the last four or five years. A senator coming in to

this Chamber, say in the middle of the session, would be liable to a charge of $15 for every day of the session that he was not here—not every sitting day, but every day of the session. The consequence was that some hon. gentlemen in this Chamber —I do not know whether any members of the House of Commons suffered in the same way but it would be applicable to them also—found themselves serving the public during the substantial part of the session and yet not entitled to any compensation; not only not entitled to compensation but becoming indebted to the Crown in a penalty of $15 a day, which in some cases amounted to a rather substantial sum. For the purpose of preventing a repetition of any such difficulty, the government felt called upon to amend the Act, and the purpose of the present Bill is simply to provide that the deduction of $15 a day shall be only made to apply to the sitting days of the session.

Hon. Mr. FORGET—As one of the unfortunate victims of the law as it stands today, if there is no objection on the part of the leader of the government, I would ask that the second reading of this Bill be left over for another day. We are considering whether it would not be possible to introduce an amendment to this Bill with a view to making it retroactive for at least one year in order to cover three cases which occurred last session. I believe those are the only cases which have arisen since the enactment of the law which affects so injuriously the parties concerned. We find that we are not only not entitled to any indemnity for the part of last session we were in attendance here, but we are actually indebted to the government for the privilege of sitting in this House during the few days that we were in this Chamber last session. Of course if that was the rule with regard to every member, and we had to pay for the honour of sitting in this House I would not be the last to pay for the privilege; but as the rule is otherwise I think it should be universally applied.

Hon. Mr. CLORAN—The hon. gentleman is perfectly right in making this representation to the leader of the House. A very simple clause might be added to the Bill to provide that the above provisions shall apply to all members returned to parliament during the last two or three years. This matter was brought to my attention at the beginning of the session by a member of this House interested in the matter, and I promised as far as I could to see justice done. I regret the hon. member from Banff (Hon. Mr. Forget) felt obliged to put his case before the House personally. His colleagues here ought to have undertaken that task, and it was my intention to have done so, but he rose to speak before I had an opportunity. It is not fair or right, and I think it is not legal that parliament should collect a debt that he does not owe from any man. These gentlemen were called to the Senate at the fag end of the session, and we find the clerk of the Senate charging them up with a bill for non-attendance. There is no sense in that. We find them not only receiving no indemnity but charged with indebtedness to the government. Parliament cannot stand for a thing like that, and there should be no hesitation to pass a special Bill if necessary to put them in a right position. The government would be doing only the fair thing if they were to say that the charges against these members for non-attendance shall be withdrawn and that they be paid their indemnity according to the time they were here.

Hon. Mr. DOUGLAS—I am not concerned personally in this matter, but I know of other cases, one in particular, which I am sure the man who is involved would be the last to speak of it, but in his case the charge against him amounted to $900. If the Bill is to be made retroactive, we should go further back than the last two sessions, because there might be other cases of a similar character and we ought to extend the time to a reasonable limit so as to put all members on an even footing. I am sure we would all regret if any member had settled such a demand made on him. It is not reasonable or legal. More than that, it is not a nice thing to do for the honour of the House itself. It is quite right that we should step in and make the provision retroactive.

Hon. Mr. POWER—I have no doubt that the hon. leader of the House quite concurs in the sentiments expressed by the hon. gentlemen who have just spoken; but

it is a question whether the Senate has a right to amend this Bill. It strikes me that the Senate has not that right. Then if these gentlemen have been mulcted in any way, the proper course under the circumstances would be for the hon. leader of the government in this House to see that the sums necessary to recoup them are placed in the supplementary estimates. The government have the right to do that, and the difficulty could be got over in that way. But there is another point to which I wish particularly to direct the attention of the leader of the House: Looking at the way in which this Bill is worded, it seems to me not unlikely that a gentleman who during the course of the session was transferred from the House of Commons to the Senate would be enabled to draw two indemnities. That has happened in the past, and it might happen in the future under the peculiar wording of this Bill. I would suggest to my hon. friend that he should see what the Minister of Justice thinks on that point. The hon. gentleman probably remembers himself that a few years ago one or two gentlemen did draw two indemnities. They came here in the middle of the session and drew one indemnity as members of the House of Commons and another indemnity as members of the Senate.

Hon. Mr. LOUGHEED—This Bill was prepared by the Minister of Justice, and introduced in the House of Commons by the same minister.

Hon. Mr. POWER—So was the law under which that thing happened.

Hon. Mr. LOUGHEED—My hon. friend has suggested that I refer this Bill to the Minister of Justice; but he has already assumed the responsibility. However, it is a subject worthy of consideration and I shall be glad to look into it with that object in view. So far as the statement of the hon. member from Banff (Hon. Mr. Forget) is concerned, I know there is a great deal of sympathy for those gentlemen who have been deprived of the indemnity they should equitably have received. The difficulty we find is this: The late government under whom these gentlemen were appointed had their attention directed to the weakness of the Act and its oppressive operation so far as new senators were concerned. The ex-Minister of Justice had his attention fully directed to the fact, and yet the late government did not consider it wise, apparently, in their discretion to give the relief which the hon. gentlemen sought. I need not point out that this Chamber would not have authority to amend this Bill, on account of its being a money Bill, but I would repeat what the hon. member from Halifax (Hon. Mr. Power) has said, that the more likely way of having the difficulty remedied would be to place a sum in the estimates, and I would suggest to those hon. gentlemen who have been deprived of their indemnity that they should take what steps they possibly can to induce the House of Commons to remedy this grievance from which they have been suffering for some years past. Of course I cannot say what the government would be prepared to do upon that subject, but it seems to me, instead of trying to make this Bill retroactive—legislation of that kind being almost invariably objectionable, not knowing what it would lead to—that the hon. gentlemen should take the step I have suggested.

Hon. Mr. CLORAN—The government has put these senators in debt. On what legal ground can they collect that claim?

Hon. Mr. FORGET—I beg to correct the hon. gentleman; there was no Bill presented to us on the part of the government for any sum there may have been over and above the indemnity.

Hon. Mr. CLORAN—The hon. member from Prince Edward Island tells me that he was charged by the government for a debt of some $15 or $35. If that is the case, I should like to know on what ground the government can take action against him to collect that debt?

Hon. Mr. LOUGHEED—I do not think we need discuss this phase of it. I can assure the hon. gentlemen who have claims appearing against them that they will not be pressed for payment.

Hon. Mr. KERR—The circumstances under which the last session of parliament terminated would probably be a reason why the matter should be dealt with when the Supply Bill comes down. It was different

from a session coming to its end in the usual way. It cannot be said that the last parliament in its closing hours could have dealt with this question. It was left open and will have to be dealt with now. I would suggest that it might fairly be considered in the estimates to be brought down. No one seems to see any reason why these gentlemen should not be placed on a fair footing of equality with the other members of the Senate. I would suggest to the hon. leader of the House to let the Bill stand over.

Hon. Mr. LOUGHEED—I am quite willing.

Hon. Mr. KERR—I would ask him to consider what course he proposes to take with reference to this Bill and another Bill to amend the same Act. The two should be dealt with at the same time. If the other Bill is to be passed, it would seem to be absurd to amend the Act by two Bills passed the one session. It is far better that the whole subject should be dealt with in the one measure.

Hon. Mr. LOUGHEED—I am under the impression that the Bill is no longer on the order paper. I think the attention of the hon. gentleman in charge of it was directed to the fact that we have no authority in this Chamber to pass a Bill such as he proposes to introduce.

Hon. Mr. KERR—The Bill is on the orders, though it should have been introduced in the House of Commons.

Hon. Mr. De BOUCHERVILLE—It has been said there is only one case.

Hon. Mr. LOUGHEED—I understand there are several cases—my hon. friend from Banff, my hon. friend from Prince Edward Island, and if I mistake not another senator, have been deprived of their indemnity. I am quite willing that the Bill should stand, but would suggest to the hon. member from Banff that he should in the meantime enlist the good offices of his friends in the Commons to carry out the suggestion I have made.

Hon. Mr. WATSON—I do not think it is fair to expect hon. gentlemen to lobby the members of the Commons. The representations made in the Senate should be sufficient.

Hon. Mr. CLORAN—We ought to undertake the task ourselves.

Hon. Mr. LOUGHEED—It can only be done by resolution. I move that the order of the day be discharged and the Bill placed on the orders for Tuesday next.

The motion was agreed to.

JUVENILE DELINQUENTS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 2) An Act to amend the Juvenile Delinquents' Act 1908. He said: The Bill is self explanatory. It makes provision that where juvenile courts are established and there are children of other faiths than Roman Catholic or Protestant, the machinery provided by the Bill shall be brought into operation as to their protection and care.

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

SECOND READINGS.

Bill (No. 10) An Act respecting the British Colonial Fire Insurance Company. —Hon. Mr. Choquette.

Bill (No. 26) An Act to incorporate the Saskatchewan Life Insurance Company—Hon. Mr. Ross (Moosejaw).

Bill (No. 65) An Act to correct certain clerical errors in the French Version of the Revised Statutes, 1906.—Hon. Mr. Lougheed.

COMMITTEE ON STANDING ORDERS.

FIFTH REPORT ADOPTED.

Hon. Mr. TESSIER moved concurrence in the fifth report of the Standing Committee on Standing Orders.

Hon. Mr. POWER—The report expresses a doubt as to whether or not the legislation which is sought for by the petition in this case is such as could be passed by the parliament of Canada, or if it is not rather such legislation as should be sought from the legislature of Quebec. As I understand,

the petitioner lives in the city of Hull, and under a will under which he is the beneficiary, he is called upon in order to obtain the legacies left him to change his name to that of the testator. It seems to me that that is a measure which deals altogether with property and civil rights, and it is not in any sense a measure which should be dealt with by parliament. Perhaps, as the House is thin, and as it is a question which deserves some consideration, the hon. chairman of the committee will pardon me if I move that the debate be adjourned until Wednesday next.

Hon. Mr. BELCOURT—I quite agree with what the mover has said. I do not think parliament has jurisdiction in this matter. The civil status of a citizen is determined by the law of his domicile. It is altogether a provincial matter. The fact that the man lived in Hull or Ottawa or anywhere else in Canada makes no difference whatever. Parliament has no jurisdiction in determining the status of Canadians. That is a civil matter, exclusively within provincial jurisdiction. If this petitioner lives in Hull, clearly he should apply to the Quebec legislature, and if in Ottawa he should apply to the legislature of Ontario; but in no case can he come to the parliament of Canada to have his name changed in any way. I have not looked into the matter, but it seems to me that is elementary.

Hon. Mr. TESSIER—I have no objection to the adjournment of the debate. The committee reported that the rules had been complied with and the proper notices given. There is no special recommendation in regard to this question, but there is a remark at the conclusion of the report expressing doubt as to whether parliament has jurisdiction. I do not see that there is much to discuss.

The SPEAKER—If the report is in doubt there is no conclusion.

Hon. Mr. TESSIER—There is a conclusion that the notices have been properly given. The remark at the end is simply to call the attention of the Senate to this doubt.

Hon. Mr. POWER.

Hon. Mr. CLORAN—All the hon. members who have expressed themselves on the question are clearly of the opinion that the subject matter of this Bill is outside of our jurisdiction. Then why should we keep it on the order paper?

Hon. Mr. EDWARDS—The committee have nothing to do with the question of jurisdiction, and simply have to report as to whether the petition was in order. The adoption of the report to-day does not affect the question at all. It will come up on the second reading. The petitioner consulted a very high legal authority in Canada who told him that he could change his name without legislation at all. He however, said that if he was going to apply to any legislative body, as far as he could see it was just as suitable to apply to the Dominion parliament as any other, if he chose to adopt that course. The property in which he will become interested is spread all over every province of the Dominion, from Halifax to British Columbia. That may not alter the case at all, but the reason why he brought the matter before parliament was in order that it might have the greatest publicity throughout the country. That is the statement he made to me.

Hon. Mr. POWER—I think the point made by the hon. gentleman from Rockland (Hon. Mr. Edwards) is perfectly sound, and, if the House will permit me, with the consent of the seconder, I shall withdraw my motion for the adjournment of the debate, and let the report go; and we can deal with the matter on the second reading.

Hon. Mr. BELCOURT—I wish to correct a misapprehension. As a member of the Committee on Standing Orders, I wish the House to understand that we did not expect, by making the remark in the report, that we were going to have the House pass upon it, but, the point having been raised, we felt that it was our duty to call attention to it.

The motion was agreed to.

The Senate adjourned until Tuesday at three o'clock.

THE SENATE.

TUESDAY, January 30, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILL INTRODUCED.

Bill (H) An Act to incorporate the British Canadian Loan Company.—Hon. Mr. Ross (Moosejaw).

REMOVAL OF JOHN PARK, POSTMASTER.

MOTION.

Hon. Mr. McMULLEN moved:

That an order of the Senate do issue for a return giving copies of all letters, papers or other documents in the hands of the government relating to the proposed removal of John Park, postmaster at Orangeville, Ontario.

The motion was agreed to.

INQUIRY.

Hon. Mr. McMULLEN inquired:

Is it their intention to dismiss Mr. John Park, postmaster at Orangeville, Ontario, from his position as postmaster without giving him first an opportunity of answering any charges made against him?

Hon. Mr. LOUGHEED—It was established to the satisfaction of the Postmaster General that Mr. John Park had been an active political partisan during his employment as postmaster of Orangeville, and orders were given for his dismissal. The order which has just gone for the papers to be brought down will state the reasons of the dismissal, and then my hon. friend will be at liberty to discuss it.

RAILWAY MILEAGE IN CANADA.

INQUIRY.

Rt. Hon. Sir RICHARD CARTWRIGHT: inquired:

How many miles of railway were completed within the Dominion on the 1st January, 1912?

How many in process of construction?

Hon. Mr. LOUGHEED—The latest available information in the department is up to the year ended 30th June, 1911, at which date the mileage in operation was 25,400 miles; and the mileage under construction was 7,000 miles.

To ascertain the mileage down to the first of January, as my right hon. friend has asked, would involve correspondence with all the various railway companies. There are no returns in the department later than the first of July.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not want to press too much, but it would be very interesting information to have if the department can get it without too much trouble.

Hon. Mr. LOUGHEED—I shall be very glad to further press the inquiry. I was anxious to get the information for my right hon. friend, but that was the answer given.

Rt. Hon. Sir RICHARD CARTWRIGHT—If the first of January is too late a date, we could put it a little earlier—put it say three months before.

Hon. Mr. LOUGHEED—If it will involve correspondence with the railway companies we might as well ask for a return to the first of January. I shall see what I can do.

CUSTOMS REVENUE FROM WESTERN PROVINCES.

INQUIRY.

Rt. Hon. Sir RICHARD CARTWRIGHT inquired:

What amount of customs duties have been collected in the nine months from 1st April to the 31st December, 1910, and 1911, in the several provinces of Manitoba, Saskatchewan, Alberta and British Columbia, respectively?

Hon. Mr. LOUGHEED—The following statement has been furnished of Customs duties collected in the nine (9) months from 1st of April to 31st of December, 1910 and 1911, in the several provinces of Manitoba, Saskatchewan, Alberta, and British Columbia, respectively:

	1910.	1911.
Manitoba	$5,166,053 03	$6,368,220 79
Saskatchewan	1,069,508 01	1,764,956 21
Alberta	1,328,991 64	2,219,351 18
British Columbia	5,754,063 39	7,682,164 83

Rt. Hon. Sir RICHARD CARTWRIGHT—Very considerable increases.

Hon. Mr. LOUGHEED—Apparently.

REDISTRIBUTION OF REPRESENTATION.

INQUIRY.

Rt. Hon. Sir RICHARD CARTWRIGHT inquired:

Is it the intention of the government to introduce a Bill during the present session for the purpose of arranging the representation of the several provinces in accordance with the recent census?

Hon. Mr. LOUGHEED—I have to answer my right hon. friend in the negative. It is not the intention of the government to introduce such a Bill this session.

Rt. Hon. Sir RICHARD CARTWRIGHT—Can the hon. gentleman give any further information as to when it can be introduced?

Hon. Mr. LOUGHEED—No further information at present, for my right hon. friend, except that we might follow the precedent set by the late government, and postpone it for a couple of years.

Rt. Hon. Sir RICHARD CARTWRIGHT—There may be two words about that.

SENATORSHIP TO MR. LANCASTER.

INQUIRY.

Hon. Mr. CLORAN inquired:

If it is true as reported in the press, that a certain Mr. Lancaster, a member of the House of Commons was offered a senatorship by a member of the government on certain conditions?

Also, if it was stipulated that if the said Mr. Lancaster accepted the said offer he would allow the question of abolition of the Senate to remain in abeyance, for the term of his natural life, and would likewise extend the same consideration to the decrees of the Council of Trent?

He said: In rising to ask this question, I assure the hon. leader of the House I do so without any intention of embarrassing the government in this House or in the House of Commons. On the contrary, my object is a most charitable one. The public for some time past has been seized of the information—well founded or ill founded, I am not in a position to say—that Mr. Lancaster, an hon. member of the House, was offered a position in this Senate by a member of the government of the day. The question is one of fact, and can be easily answered. What makes the question a peculiarly interesting one is that the government undertook, according to public information, to offer the senatorship to this hon. gentleman on two conditions: that he would cease his opposition to the existence of this body as long as his life should last; and, secondly, that he would not oppose the marriage decrees of the Roman Catholic church. As far as the first question is concerned, whether the government offered him the position or not casts no reflection on the government or on the hon. gentleman. I think it would do honour to both. The hon. gentleman has been a very useful, esteemed and respected member of the lower House. The government could not have a more valuable member to aid them in their legislation. What is surprising in the information given to the government through the voice of the people, and through the press, is that the government exacted, or wanted to exact from him these two conditions. Now, that I am not prepared to believe. I do not think the government, or any other government, would put up to a member of his standing such a proposition as that, although the government would be perfectly justified in doing so. The opposition to the existence of this body, made in the other chamber by Mr. Lancaster, is a natural one. I do not veil the fact that I was personally opposed to the present constitution of this body. I was not opposed to the existence of a second chamber, but I certainly was opposed to its constitution as it then existed, and the manner in which it conducted the public business some fifteen or twenty years ago, when the vast majority of this honourable House belonged to the opposite side of politics to that which I then supported, and which I still endorse. I was one of those who found fault with the Senate's activity when they undertook to do the washing of the dirty linen of the parties, the same as the right hon. senator from Belleville did in 1891 and 1892, when he undertook to wash the linen, so-called dirty, of the Quebec party in this House, and succeeded admirably. His investigation into the matter at the time resulted in the downfall of the Mercier regime. The downfall did not last long. People evident-

ly had faith in the hon. member from Belleville, and in his party, but that faith expired on the 24th June, 1896, and was transferred to the Liberal party. So that up to that time I was opposed to the manner and the methods by which this honourable House conducted its business. On these grounds I have no special objections to Mr. Lancaster being opposed to its existence. I can understand that, but I cannot understand that the government would offer him the position of a senatorship on condition that he would cease his opposition. We have heard a great deal of talk in regard to Mr. Lancaster's opposition to the marriage decrees of the Catholic church, and from Mr. Hughes, Mr. Sproule, and other prominent men in the public life of this country.

I know a little about the theological aspect of the question, and I am free to say that honourable gentlemen on the floor of parliament, and the ministers in the pulpits of the different churches of the country, know very little of the marriage decrees of the Roman Catholic church. The marriage decrees of Rome, whether they be put in the form of a pastoral letter, or a Ne Temere decree, take no rights from the citizen and do not affect his civil status. They simply affect the conscience of the adherents of that church, and if those adherents do not wish to accept the decrees, they are at liberty to retire from the fold and join another church, with easier methods of marriage and easier modes of dissolving marriage. But the uselessness of this discussion on the Ne Temere decree is shown by the fact that the courts of Quebec uphold the marriage decrees of Rome. They have no option. For centuries every decree in regard to marriage passed by the Roman court was endorsed by every civilized country on earth, and embodied in their statute-books until the reformation, when they were disowned. But France always observed the Roman decrees and enacted them in her statutes. When England conquered Quebec, and defeated France on American soil, one of the matters which was left to the French people of the province of Quebec, was their laws in regard to property and civil rights. So that when a question of marriage comes before the courts of Quebec, on which the church has been called upon to pronounce, and has pronounced a voidance of the marriage—that there was no marriage at all, the court has absolutely nothing to do but to register the verdict of Rome. England gave them that right, and guaranteed it. Those rights have been in existence for 140 or 150 years, and I may tell Mr. Lancaster and the men who speak as he does, that the more they antagonize this status of living in Quebec the less they will succeed. The decrees of Rome have no effect in Ontario, or other provinces of the Dominion, or in any country where the decrees of the Council of Trent were not promulgated. It is simply a matter of conscience between the adherents of the church itself, with which the state has nothing to do. The church may declare a marriage null and void, but the civil law protects both parties and their offspring. All this talk by Mr. Lancaster and his friends in regard to the Ne Temere decree is based on fallacious and ill-conceived grounds, without any special knowledge of the constitutional history of our country or the ecclesiastical law of Rome. We have nothing to do with other races or creeds at all. I do not say that the government asked Mr. Lancaster to forego his opposition to the marriage laws of the Catholic church, but if they did, I think it was a wise action and one that would redound to the union, the peace and harmony of the community. You have never yet found the Catholic church interfering with the decrees of the Presbyterian church, the Methodist Conference, the Jewish rabbis or anything of that kind. We leave them all alone, and all we ask is to be left alone. Rome does not interfere with any of their laws. The Catholic church is working for the best interests of society, in consecrating the marriage tie. Let others break it if they will, and I must say that right in this honourable House it is too often broken. I do not suppose that the honourable leader will be able to tell us that the government did impose such conditions on Mr. Lancaster, but I would appreciate it if the hon. gentleman could tell us that it was so. It would show that they were wise in their generation. They were off-setting and getting away from dif-

ficulties which I am sorry to say menaced our near future.

Hon. Mr. LOUGHEED—I would say to my hon. friend that the answer to the first question is 'no,' and the second question is answered by the reply to the first question.

SALE OF BARRACKS AT WINNIPEG.

INQUIRY.

Hon. Mr. DOUGLAS inquired:

Has the government sold or agreed to sell, the barracks and land adjacent, in Winnipeg, to the local government of Manitoba, and if so, what terms?

Also, how many acres does the said property contain?

Hon. Mr. LOUGHEED—The matter is now under consideration, but if it should be concluded I could then give him the information as to the area of land, which I cannot do at present. I suppose the interest in that would be involved in the taking over of the land by the Manitoba government.

TYPHOID FEVER BILL.

SECOND READING.

Hon. Sir RICHARD SCOTT moved the second reading of Bill (G) An Act to check the spreading of typhoid fever. He said: When it first occurred to me to draft a Bill on the lines of the one now under consideration, I was not aware that similar legislation had been adopted on either side of the Atlantic. I have discovered, however, from a reference more particularly to the encyclopædias of England and the United States that such legislation has been enacted, although I have not been able to find it.

The disease in Canada has for some years been rapidly increasing. In 1881 the deaths from typhoid were 1,035, in 1891, 1,592, and in 1901, 1,909—in twenty years they had practically doubled. Those figures are taken from the official report issued by the Department of Agriculture. One fact about them is that the persons affected by typhoid are those with the highest vitality—that is between the ages of 20 and 45, and another peculiarity is that men die more freely than women of typhoid fever. The last ten years I have quoted the males were 1091, and the females 819, a difference of nearly 300. Now the explanation of the first peculiarity, that is of persons dying at the most vigorous period of life, is that they think at that time of life that they are absolutely immune to disease, and therefore, exercise no care whatever, but eat and drink what their fancy prompts them to take. The explanation of the second fact is that men indulge in alcoholic drinks to a greater extent than women do, particularly in times of epidemic, or when they fear disease is spreading. That can be the only explanation, because the marked difference of nearly 300 in the number mentioned is so extraordinary that it requires some explanation, and the one I have given will fit, and should be accepted as the fact. The largest number of cases have occurred along our lakes and rivers, and may be traced to the fact that sewage from our towns and cities is discharged into the waterways from which the drinking water of the people is obtained. Consequently, the water has been polluted by typhoid bacilli. The germs do not increase in the water. It has a fatal effect on them, though they may live two or three weeks in the water. They multiply in the alimentary canal of the human body. When a person is not particular in keeping the alimentary canal clean, and undigested food is allowed to accumulate, it becomes a nest for the typhoid germs, and they multiply by the million. Their life is short, but they are multiplying all the time. No doubt a very considerable percentage of the people escape entirely, although they drink water containing bacilli, but nature has made the human body immune if persons would only take reasonable care to live normally on food we were intended to use. You never hear of horses, cows, or hogs being infected with typhoid, although they drink polluted water. Their organization is not as perfect as ours, but they live on food that it was intended they should, except when at times they are forced, as hogs are, to eat filthy food. Now the number of deaths among those attacked by typhoid has been about 10 per cent, which I think is a very high mortality, higher than in any other country.

Hon. Mr. McMILLAN. I think it must be ten in the thousand, not ten per cent.

Hon. Sir RICHARD SCOTT—It varies.

Hon. Mr. McMILLAN—Ten per cent is a very high mortality.

Hon. Sir RICHARD SCOTT—Here in Ottawa the cases numbered less than two thousand, and the deaths were between ninety and a hundred. They vary, according to the medical treatment, from five to ten per cent. If with increased population the number of persons affected should be as great relatively as it has been in former years it will mean, unless something is done, from twenty to twenty-five thousand people will be laid up every year for six or eight weeks from typhoid, and that two thousand of them will die unnecessarily, because typhoid, to begin with, is a preventable disease, and under proper treatment, in my judgment, the chances of recovery are good. But we have to deal with things as they are. The mere mention of the fact that two thousand of our citizens will die this year from a preventable cause should certainly stimulate parliament to take some measures, even if they had not been practically tried before, to in some degree check the spread of this disease. If twenty-five thousand hogs were ill, we would spend probably a half million dollars to save the hogs, and yet no government in Canada has made any arrangement for checking a preventable disease in the human family. Now that is not discharging our duty as public men.

Paternal legislation is necessary in this age, and it prevails in all civilized countries. Canada is behind the rest of the world in the preservation of the lives of its own people. We take care of our hogs; we take care of our cattle; of our horses. We spent last year for the protection of these animals from disease, $300,000. And what did we spend on the human family to protect them? After a great deal of lobbying, the government voted ten thousand dollars to the Tuberculosis Society of Canada. It was only a fraction of what ought to have been granted. This country collects from the people of Canada over a hundred millions of dollars, and yet they discourage spending any money on the preservation of the lives of the people from whom it is collected. When I mention this bald fact to you, I do not think it should require another word of argument—that in this year of our Lord one hundred thousand people will die from various diseases, and over fifty thousand will die before they reach 25 years of age. Now that is an appalling fact. We are spending huge sums to induce foreigners to come and settle in Canada, and surely the Canadian born is superior to those whom we bring into Canada; and to think that such a number of Canadians should die, many from preventable causes, seems shocking. It is reproach to the intelligence of the people of Canada. Those statistics ought to appeal to every man who is charged with making the laws of this country, that our highest duty should be the preservation of the health of the people. When I quote the fact that we spent three hundred thousand dollars last year on the hogs, cattle, and horses, it ought to be a stimulus to us to force the government of the day to take at least as good care of the citizens of Canada as it does of the hogs and cattle of this country. We are responsible for the illness of the hogs, because we allow them to be fed on distillery swill, on fermented foods. That is the reason; and a statement made a few days ago by the bacteriologist of the University of Wisconsin was to the effect that in the thirty-five million hogs that were being killed in certain states, to his knowledge, five millions were affected with disease, yet they were passed and palmed off on the public, the inspection was so imperfect. In fact it is impossible to inspect once disease gets into animals. I noticed that not very long ago in the city of Toronto, where they have abbatoirs and abundance of inspectors, in one lot that were examined eighteen per cent had to be condemned; but that happened because there was keen examination. We know very well that day after day animals are sold on the public markets in different parts of this country that are not fit for human food. On one occassion 200 calves that had been taken into the city of Montreal on a single day, had been seized; and at another time I saw

that a seizure had been made in the city of Hull of a very large number. I mention these instances to show that it is no wonder diseases prevail when people are fed on diseased food. The consciences of men who sell such animals for human food are not as keen as they should be. Recently we had a very interesting address delivered in Ottawa by Dr. Wylie, Food Inspector at Washington, and it would have done good to all the members here if they could have heard him describe the battle he had had for so many years to secure pure food for the United States, and the conspiracies against him were so strong that they actually succeeded in getting Congress and the members of the government of the United States to order his dismissal. Why? because he was so exacting. They trumped up a case against him, and if it had not been for the influence of President Taft, he would have been discharged. I mention that as an incident showing the difficulty that exists in securing pure food for the people because of the influence of those behind the market. They are numerous, and have so little conscience that the people have those foods forced upon them. The $300,000 that we pay under the Animal Contagious Diseases Act, is not the only money expended for the protection of animals; I find that there is other legislation very similar to provisions in this Bill. Among other things section 43 provides that:

'Every person who moves, or causes or allows to be moved, any animal, hide, skin, hair, wool, horn, hoof, offal, carcass, meat, dung, hay, straw, litter, or other thing in violation of the provisions of this Act with respect to infected places, shall, for every such offence, incur a penalty not exceeding $200.'

'Every person who throws or places or causes or suffers to be thrown or placed, in any river, stream, canal, navigable or other water, or in the sea, within ten miles of the shore, the carcass of an animal which has died of disease.

Well, we have already applied to animals the legislation that is specified in this Bill. Are we not going to apply it to our own fellow-beings? It is monstrous that any opposition should be offered to such a measure There is also a clause in that Act which says:

Every person who neglects to give notice, as required by this Act, of any facts discovered or perceived by him indicating the appearance or the existence of infectious or contagious disease among animals owned by him or under his special care, or who conceals the existence of infectious or contagious disease among animals, shall incur a penalty not exceeding $200.

Hon. Mr. POWER—Is that the Dominion statute?

Hon. Sir RICHARD SCOTT—Yes, chapter 75, entitled, 'An Act respecting Infectious or Contagious Diseases affecting Animals.' It gives most extraordinary powers to officials employed by the government. We have a very large staff, and it would not be very much to extend to that staff the powers intended to be conferred on the officials who should put in force the Bill now before us. The cost would be a bagatelle.

Hon. Mr. POWER—Are you reading from the Revised Statutes?

Hon. Sir RICHARD SCOTT—Yes, the Revised Statutes. I find that we give extraordinary powers to our agents at Grosse Isle and other points where the ships arrive, with respect to immigrants entering Canada, and we pay for that service $140,000. We examine the foreigners, many of whom are affected by diseases, and they are turned about or confined at Grosse Isle for a given time. Then we spend on leprosy $10,000. We have also an Act showing the paternal care this government exercises when its attention has been drawn to particular cases. We have the Act entitled 'An Act for the Preservation of Health on Public Works,' no matter what kind of work it is—it includes every railway, every canal, bridge, telegraph, and every other public work in Canada. We take care of the people at those points. We look after the inspection of their houses, their tents, their quarters, the cleaning and purifying and disinfecting of them. We limit the number of persons in the houses. We see that there is a qualified medical man employed on the works, and we provide for the isolation and care of persons suffering from diseases. We take all sorts of fatherly interest in men who happen to be there; yet in our cities and country parts our own citizens may die by the hundred thousand and we take no interest whatever in them. It seems to

me extremely inconsistent. There is no sense in such a policy. As I have said, the only sum we subscribe in this direction is $10,000—formerly it was $5,000 a year—to the Tuberculosis Society. We know that tuberculosis is spreading in Canada. We know that it is a disease easily checked. We know also that there is no country in the world where it can be checked so quickly as in Canada. The cold of our winter is destructive to all germs that affect the human body, and therefore a man breathes more oxygen in Canada than he can in almost any other country. At the same time he gets the sunlight. There are the two agencies that really cure tuberculosis. But so long as over-crowding continues in the houses, and knowledge of hygiene in withheld from the people, this scourge will continue. Hygiene ought to be one of the elementary sciences that is taught in our public schools. People ought to know how to live rationally. There is no reason whatever for the extraordinary death rate that prevails in this country. The opinion of the latest scientific authorities that typhoid is a preventable disease, and that it is developed entirely from the one source, is expressed in the last edition of 'Encyclopædia Britannica', which has just been published, quoting from vol. 27, page 506. There are several pages devoted to this subject, but this quotation seems apt as to the prevention, which is the only part of the article with which at the moment I will trouble the House:

> If home drainage were always perfectly carried out, sewage satisfactorily disposed of, water supply efficiently protected or treated, patients segregated and the typhoid material excreted by them, and typhoid 'carrier' effectually annihilated—if in short, scientific cleanliness were completely attained, the disease would disappear or be at least excessively rare.

They have had more experience with typhoid in the United States than they have had in any other country, because, as we know, that country has conditions similar to ours, and the most convenient way of getting rid of sewage was by draining into their great rivers—the method we adopt in disposing of our pollution—and then they found difficulty in getting pure water; and the cost of filtration is so enormously large that I noticed in a morning paper the statement that New York city has been spending one hundred and sixty millions in an aqueduct to draw pure water from some distant part of the state.

I will quote from a very recent edition of the 'Encyclopædia Americana' to show how typhoid is spreading. The extract is as follows:

> But drinking water polluted by the bacilli through infected sewage, &c., is the most frequent cause of typhoid infection. Germs from a single case of typhoid may find their way into springs and other sources of water supply and cause widespread dissemination of the disease. The epidemics in Lausanne, Switzerland (1872), Chicago and Philadelphia (1890-1900), and Ithaca, N.Y. (1903), are examples of typhoid outbreaks caused by polluted water. In Vienna, when for a period the water supply from guarded springs was turned into the city, typhoid, which had persisted in epidemic for years, almost entirely disappeared, and when, as the drier season advanced, this purer supply was insufficient and the water of the Danube was again turned on, the scourge broke out with renewed violence, but in those parts of the city supplied by river water. This experience was repeated in Paris, and it is practically true of every city supplied with drinking water from exposed streams and lakes.
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> That flies which have found access to the excrement of typhoid fever patients may carry the infecting organism to food and so produce typhoid, was proved in the Spanish-American and the Boer wars. The danger of typhoid in armies is always imminent; soldiers will drink polluted water, not caring to wait till it is boiled; the ground becomes saturated with discharges, flies and dust abound; and many of the men will not keep clean. Typhoid fever in our camps, says Sternberg, has been to a large extent due to the neglect of the well-known sanitary measures. This has been the experience in nearly all wars.

I would like to call particular attention to this:

> The New York department of health which insists upon the importance of disinfecting the urine as well as the fæces of typhoid patients, states that 'it is probable that in 50 per cent of the cases the typhoid bacilli are present in the urine at some stage of the disease,' and recommends keeping the urinal or bed pan partly filled with a 1 to 20 solution of carbolic acid.

The evidence on both sides of the Atlantic is undoubted that this is a water-borne disease, that it is preventable, and that this is one of the channels through which we can check the spreading of it. I do not suppose it will annihilate it. I doubt it. There are other methods of contracting

the disease. Even the sputum may contain the bacilli. At a later stage we many amend the Bill by inserting the word sputum. Once the bacilli enter the body, they are not easily got rid of, and can only be stopped through a normal condition of health. This Bill, for the sake of simplicity, is based on an Act already on the statute-book. I may illustrate by this observation: If a man throws a poisonous weed into his neighbour's pasture and the cattle eat this weed and die as a result, there is no doubt that man is liable for the consequences, and if a man throws typhoid bacilli into his neighbour's drinking water, should he not also be punished? This is exactly a parallel case, and I propose to attach this Bill to clause 222 of the Criminal Code, which reads as follows:

'Every one is guilty of an indictable offence and is liable to one year's imprisonment or a fine who commits any common nuisance which endangers the lives, safety or health of the public, or which occasions injury to the person of any individual.'

The provision in this Bill will read:

Every one is guilty of an indictable offence, &c., who endangers the lives or public health by emptying or depositing any excreta, whether solid or fluid, of any typhoid patient on the banks of a river, &c.

The next clause provides that the medical attendant, or whoever is looking after the patient, must give notice to the head of the municipality of the existence of the typhoid patient. He must take measures, by the use of carbolic acid, to destroy the bacilli. The excreta must be dealt with in the manner indicated in the Bill, and not thrown into the water. A clause should be inserted providing for payment of the cost, but I presume that will be more properly done in the House of Commons. The costs ought to be charged to the municipality, but in the meantime they might be advanced by the government. I think the Bill is so important that the government should take it up and put it through as a government measure. If it goes to the House of Commons, with the multiplicity of private Bills which they will have to deal with, it will have very little opportunity to be put through. It entails a very slight charge on the public revenue, if any at all, because the ultimate cost is thrown upon the municipality where the typhoid happens to prevail.

That municipality can be properly charged wtih it, because the evil is due to the carelessness, ignorance, or negligence of the municipality in which it occurred. The Bill relating to the pollution of streams evidently cannot be adopted for some years in Canada. It has to get the support of the provinces and of the Dominion before it really can become law. Take as an illustration the Ottawa river, which derives its water from streams on both sides, in Ontario and Quebec. If we passed a Bill here preventing the pollution of the Ottawa it would have no effect as far as the individual provinces are concerned, at all events until the sewage question is satisfactorily disposed of, and that will take five or six years in the various cities. You could not enforce a Bill of that kind. Under the circumstances, I trust that parliament will adopt this measure and give it a trial as it entails no expense whatever on the public treasury.

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

Hon. Sir RICHARD SCOTT moved that the Bill be referred to a Committee of the Whole on Tuesday next.

Hon. Mr. WILSON—Before proceeding with a Bill of this kind we should have the opinion of the Minister of Justice as to its constitutionality. I would suggest, therefore, that my hon. friend let his order stand until we ascertain whether it is within our jurisdiction.

It is unfortunate that we should undertake to multiply offences, and deal with matters which pertain exclusively to the local legislatures, and the municipalities. I appreciate the able manner in which the hon. gentleman has moved the second reading of this Bill; but if he considers the matter properly he will see that the subject with which he attempts to deal should be dealt with by the local legislatures. To pass such a measure as this will accomplish nothing. The cleverest physicians we have in the country would be unable to place their fingers on what would be the best means of preventing the spread of

typhoid fever. We know the destructive effects of the disease, but we cannot say that purifying the water will wholly prevent it. Wherever there is decomposition of animal and vegetable matter typhoid fever germs will originate. After his very able explanation, I think my hon. friend should let his Bill stand until we have the opinion of the Minister of Justice. If we have the power then we can proceed intelligently to make a law on the subject that can be enforced without injury to the country. This is a very important matter. We are making provision to punish people who may be innocent. It is a stringent provision to put on the statute-book creating an offence punishable by fine and imprisonment, and perhaps hanging and quartering. I would suggest to my hon. friend that he should let his Bill stand over until another session.

Hon. Mr. LOUGHEED—There are several objectionable clauses in the Bill which should be recast. I would direct attention to the money clauses of the Bill.

Hon. Sir RICHARD SCOTT—That, I said would not be taken up here.

Hon. Mr. LOUGHEED—The last clause throws an obligation on the municipalities to provide certain funds.

Hon. Sir RICHARD SCOTT—The government will have to consider that, and it can be dealt with in committee.

The motion was agreed to.

INQUIRIES ACT AMENDMENT BILL.

SECOND READING POSTPONED.

The order of the day being called:

Second reading Bill (No. 19) intituled an Act to amend the Inquiries Act.

Hon. Mr. LOUGHEED moved that the order be postponed until Tuesday next.

Rt. Hon. Sir RICHARD CARTWRIGHT—At the second reading, my hon. friend will be in a position I hope to give us the names—I believe they have been already made public—of the commissioners intended to be appointed, and it would be as well, perhaps, to know the salaries, costs, &c.

Hon. Mr. LOUGHEED—What commission does my right hon. friend refer to?

Rt. Hon. Sir RICHARD CARTWRIGHT—I understood this Bill was for the purpose of giving special authority to a certain commission?

Hon. Mr. LOUGHEED—The object of the Bill is to amend the Inquiries Act so that any commission hereafter appointed to make an investigation, or inquiry into the public general service may have certain powers. Under the law as it stands when a commission is appointed to make a departmental investigation it has the power under the Act which is sought by this Bill to confer on all commissions, so that the law will apply to any commission. investigations.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is with special reference to the present committee which is inquiring into certain matters that this amendment was proposed.

Hon. Mr. LOUGHEED—It was ascertained that there was such a limitation of powers under part I of the Public Inquiries Act as to render it desirable to amend the Act so that the same power would be given in case of any inquiry into the public service. In the meantime the right hon. gentleman will find in section 9 of the Public Inquiries Act a similar authority is given to that which is contained in this Bill, but limited purely to departmental investigation.

Rt. Hon. Sir RICHARD CARTWRIGHT—We will look into it on Thursday next.

The motion was agreed to.

PAYMENT OF RAILWAY EMPLOYEES BILL.

SECOND READING.

Hon. Mr. CASGRAIN moved the second reading of Bill (E) An Act concerning the payment of salaries or wages of employees of railway companies. He said: It will be within the memory of hon. gentlemen that when the Senate adjourned last session, before the dissolution of parliament, this Bill had been referred to the Railway Com-

mittee. That committee heard evidence, and the Bill came back to the Senate. I may remind the House that this Bill was passed unanimously in another place, both parties agreeing to the principle of the measure. Since then the representatives of the labour element at Calgary, and from all parts of Canada, gave this Bill their unanimous approval. A circular was sent from the General Labour Council of Canada to all the members of the Senate. I know that I received one before we adjourned for the holidays. It represented that labour, more especially the railway employees, was in favour of this Bill. In itself, the Bill is very simple. It provides for the payment of railway employees every two weeks instead of monthly. I may remind this honourable House that in England railway employees are paid weekly, and from the information I have received, many railroads in the United States pay their employees on the first and fifteenth of each month.

Hon. Mr. THOMPSON—Not all the railways.

Hon. Mr. CASGRAIN—This House knows as well as I do how important it is for the working men that they should be paid as often as possible. If they are paid once a month, they must necessarily buy on credit during that month, and thus have to pay more for their supplies than if they had cash in hand every two weeks. Last session it was shown that when a man commenced to work say on the 1st of February he would work all through that month without receiving his wages, and on in March until the 22nd, or 23rd of the month before getting his pay for the month of February. Now that is a hardship, and the Bill provides that the railways which have received aid from the government shall pay their employees every fortnight. Having granted subsidies or guaranteed bonds of these railway companies, the government can reasonably exact something in return. We know that railways which have received aid from the government during the last ten years or so have to carry the mails free. I hear some expressions of doubt on this point. I may explain that a railway receiving the usual subsidy, credits the government with three per cent on the amount of the subsidy every year, and the government can use that amount for any purpose it likes, and one of the purposes is the carriage of the mails. If the government wanted to send troops by rail that three per cent on the subsidy is available to pay for their transportation. The government are entitled to use the amount placed to their credit in the way I have mentioned every year; but it is not capitalized from year to year when it is not expended. However, that does not pertain to the Bill.

Hon. Mr. THOMPSON—The hon. gentleman has referred to a report of the Railway Committee on this Bill last year. What was the purport of that report?

Hon. Mr. CASGRAIN—I am informed that the committee did not deal finally with the Bill. We adjourned to attend the coronation and when we came back parliament had been dissolved. The committee did report unfavourably, but the Bill was still considered by the Senate.

Hon. Mr. MACDONALD (British Columbia)—As this matter is of very great importance, why is it that there are no petitions for such legislation? We have the Bill brought in at the instance of one member. No doubt he feels that there is something to complain of, but it is for the men themselves to complain by petition, asking parliament for legislation such as the hon. gentleman is offering now. Great care should be taken to avoid interfering between employer and employees. The railway companies pay their men punctually monthly or fortnightly, and what more do we want? The House should not interfere needlessly in a matter of this kind. I have no shares in any railway, but I think the railway companies should receive fair play as well as their employees. We all know that the workingman is on top to-day all over the world. If he wants anything he gets it by fair means or foul means, and the House should not press this Bill until it is asked for.

Hon. Mr. ELLIS—There were hosts of petitions for such legislation when the Bill was before us last session. I have not re-

freshed my memory with it at all, but we did hear a good deal of evidence. Leading railway men spoke against it. We had some in favour of it. We had a gentleman from the lower House representing the labour men, who told us they were earnestly asking for it.

Hon. Sir MACKENZIE BOWELL—The House may remember that the committee's report on that Bill was to the following effect:

'That the preamble had not been proved to their satisfaction, and the grounds on which the committee have arrived at such a conclusion are that the provisions of the Bill are not practicable, and that the passage thereof would not be in the public interest.'

That was the report of the committee, and not as I understood the hon. gentleman to have informed the House. I should like to ask my hon. friend if he has considered whether the provisions of that Bill do not come within the thirteenth subsection of the ninety-second clause of the British North America Act, which declares that the provincial legislature shall have power to deal with property and civil rights in each province? It seems to me that when you step into the office of a company or a private house and dictate to the employer how he shall employ his servant and what he shall pay him, that that is a direct interference with civil rights.

Hon. Mr. POWER—Hear, hear.

Hon. Sir MACKENZIE BOWELL—If they have the right and power to deal with the payment of the wages of railway employees or the employees of any other corporation, would we not have the same right to enter the house of my hon. friend who has introduced this measure and declare how and when and what amount he shall pay his servant girl? It does seem to me that this kind of legislation by the Senate and parliament of the Dominion is not only an interference with municipal and provincial rights, but it is dabbling in small questions that ought not to be introduced in this Chamber. I should not like to attribute any personal motive to my hon. friend, but we are too apt in dealing with questions of this kind to listen to outside influences which are brought to bear by those who have votes to cast at the election. My hon. friend shakes his head. There is the fact that we are dealing with this question, and there are other questions which my hon. friend has brought before this House which are equally objectionable, interfering with municipalities, and also with the rights of different provinces and the powers given to them under the Confederation Act. It seems to me that it is quite time that parliament adopted a system in dealing with questions affecting the general public—that they should keep within their own powers and not interfere with the rights of local legislatures or municipalities. Personally I object to this kind of legislation altogether. It is no argument to say that because trade unions make a demand that certain things shall be done, that we must comply. Many of the trades unions declare that no person who does not belong to the union shall be employed in any factory or any industrial institution. Why not go a little further to justify that, and introduce a Bill declaring that a by-law of a union providing that no man shall be allowed to work unless he joins that union and pays the fees, and adheres to the rules and regulations of it, shall be the law of the land? I think he should go the full length while he is at it, which to my mind is for no other purpose than to pander to demands made by certain classes. Why has the employer not a little right in matters of this kind as well as those who are employed? These are questions affecting the individual rights of the employer and of the employees. The general law provides that if a man employs another to work for him that he shall be paid, and if he does not pay the law steps in and compels him to pay; but there are no laws upon the statute-books declaring how a servant shall be paid, or what amount he shall be paid. It seems to me such matters should be left entirely to the employer and employee, and if there is any question affecting the civil rights of the employer and employed, let the local legislature deal with it. This is interfering with civil rights, which the parliament of Canada ought not to deal with, more particularly if such measures are demanded by one class of people only. We heard a great deal

of evidence given pro and con before the Railway Committee when the measure was under consideration last year. Taking the Canadian Pacific railway and Grand Trunk railway, the number of employees runs up into the thousands. The difficulties that present themselves, more particularly where the companies have numerous branch lines in all the provinces, of obtaining the information necessary to arrive at the correct amount which shall be paid to each individual, and compel the companies to make the payment once a fortnight are unsurmountable, and we would be asking them to do something which is unreasonable, and which employees do not want. It is only the demand of certain agitators who are constantly claiming that the only rights that should be guaranteed are those of the employed, and that the employer, or the man who furnishes the money, has not the right to say a single word. We have gone too far in that direction already, and the sooner we put a stop to it, the sooner we shall arrive at a period when we shall have fewer outrages committed in the interests of labour. Legislation of this kind is encouraging, rather than discouraging, these outrages. While I express my views freely, and while I feel strongly in this matter, I do not wish to be understood as saying one word against the rights of the labouring people; they have just the same rights as others. I question very much whether my hon. friend from De Lanaudière (Hon. Mr. Casgrain), has worked as many hours as I have in different positions during my life, and I never found it necessary to ask an interference between an employer and myself.

Hon. Mr. WATSON—I do not think the Senate will have any particular sympathy with the suggestion that we have no right to deal with this matter. The legislators in both the Commons and the Senate agreed years ago that we had a right to deal with such matters, especially when they created the Conciliation Board, which interferes in labour disputes. I think it is rather late in the day to contend that we have no right to deal with such matters. By passing the Lemieux Act we recognized the fact that we have a right to deal with labour organizations and companies, and dictate how and what amount employers shall be paid. I have had some little experience of this, and know whereof I speak. The statement just made by the hon. gentleman in regard to the Senate's action on this Bill last year is correct. It must be remembered—and I expected the mover of the Bill would have explained it—that there were two sides interested in this Bill, even between the workingmen themselves. I think the report made by the Railway Committee last year, to whom the Bill was referred, was largely based on the representations made by the men who were most affected.

Hon. Mr. WILSON.—Will the hon. gentleman tell me whether the representatives agreed in regard to this matter? There were two gentlemen, Mr. Hall and Mr. Lawrence.

Hon. Mr. WATSON—I remember it. The representatives, one the accredited representative of the conductors, and the other of the engineers, both stated so far as their people were concerned they had no desire to have payments once every two weeks, and were satisfied with monthly payments, and the explanation given to the committee was that the only few people who might be affected by the Bill was what they termed the 'tramp army,' who worked only two or three days or a week at a time; that the men who worked steadily for a railway company preferred their check once a month, knowing that the pay was sure. Upon that evidence, the committee decided to report that the preamble of the Bill was not proven. I was influenced by the representations made by these influential representatives of the conductors and engineers on that occasion, and with the representations also made by the railway companies. It was stated by the representatives of the railways that it was practically impossible, without an enormous expense, to pay the men every two weeks. These railways are operating from the Atlantic to the Pacific, some three thousand miles, with branch lines in all directions. The preparation of the pay

rolls must be an immense undertaking. I think it was Mr. Creelman, on behalf of the Canadian Pacific railway, stated that they would be willing to contribute the cost of making that extra pay sheet to any benevolent or insurance fund that the employees of the company might be interested in rather than undertake what he considered the impossible task of paying the men every two weeks. Therefore, the House having come to that conclusion last session after hearing all the evidence, it seems to me an unnecessary waste of time to refer the Bill again to committee.

Hon. Mr. CLORAN—One or two remarks dropped by the hon. member from British Columbia (Hon. Mr. Macdonald) and also from the hon. gentleman from Belleville (Sir Mackenzie Bowell) in regard to organized labour should not pass unnoticed. The hon. member said that the workingmen would get anything they wanted, if not by fair means then by foul. I do not like that expression. The working classes are honest, laborious and industrious, and they get very little by foul means. I call the attention of the House to the fact, and on behalf of a large section of the country I repudiate the statement. Then remarks fell from the hon. gentleman from Belleville which are not altogether fair. He says trades unions have rights they should not have. They can prevent a man obtaining work in a factory—

Hon. Mr. POWER—He did not say that. He said they claimed the right.

Hon. Mr. CLORAN—Why does the hon. senator from Halifax claim the right to exclude everybody from the practice of the legal profession, except himself, and those who pay the fees?

Hon. Mr. POWER—I am not under examination.

Hon. Mr. CLORAN—I have asked a question and the hon. gentleman has not answered. Why does the medical fraternity prevent duly qualified medical practitioners and graduates of universities of England, Europe, United States and other countries, from practising in Canada? If they do not belong to the special trade union in a certain province or locality, they are prevented from earning their living. That is not right. The engineering body is protected on the same lines. Every professional body is organized on the same line, and no man, no matter how well qualified as an attorney, notary, solicitor, medical practitioner, or engineer, can practise unless he is a member of the union. Even the barbers have a guild now. No man can shave another unless he pays his fees into the guild. So that when the hon. gentleman from Belleville says that the trade unions are overstepping the mark in this regard, I fail to see how they are doing so. Their example is taken from the highest branches of society, and it is not fair to taunt labour for organizing trades unions so as to safeguard their rights and interests. We are not here to pass laws to dictate to the employer what he shall or shall not do. We are here to enable the masses to maintain their rights and secure their interests against the few. We do not walk into a man's house and dictate to him what he shall pay his servant girl. The Dominion government, under the Lemieux Act, has been stepping in and settling disputes between the employee and employer. I will admit that it would be a great expense to a large company to prepare a pay-sheet twice a month, but what is that expense to a company that is making a million a year out of the country, compared to the immense advantage which would accrue to the 75,000 employees of having money in their pockets to spend as they pleased? It is all very well to argue that there is a division in the ranks of labour on the question, and that certain men have obtained from their guild, or union, a declaration against this proposition by a narrow majority. The man with ready money can buy all his commodities on inspection: go from one store to another and select what he thinks is suitable, without being subject to the dictation of the grocer, the butcher, the baker, and every seller of human necessities. The workingman today has to be under the control of his baker, his butcher, and of all who supply the necessaries of life. That is not a fair condition in which to keep hundreds of thousands of working people. I am fair

enough to admit that it would be a matter of expense and some trouble to the railway companies to make up their sheets twice a month; but what can be done once a month, can be done twice a month or can be done weekly. There is no question about that. The principle is there. If you are going to lay down the principle of expense on the part of a company for not making up a list twice a month, why not give them the privilege of making it up every quarter of a year? As far as we have the power we should remove any obstacle from the working people, who are asking for this legislation from one end of the land to the other on behalf of their families, and on behalf of their expense accounts. There is absolutely nothing revolutionary in that, and I fail to see why so many hon. senators have so little sympathy for the people from whom they sprang.

Hon. Mr. McMILLAN—I regret that the promoter of this Bill has not been able to place more arguments before the House in support of this resolution for its second reading than he has presented. It is simply forcing upon the House a reconsideration of arguments presented last session—arguments that were taken up, fully considered, and disposed of. It is certainly a left handed compliment to this Senate to ask us to go over the same ground again that we went over but a few months ago. I do think that the committee to which this matter was referred, after listening to deputations from the railways both in favour of, and opposed to the measure, came to a reasonable and prudent decision that the preamble of the Bill was not proven. After all that, and the pains we took to sit from day to day, and hour to hour, and listen to all those arguments for and against that Bill, we are now asked, before the end of another year, to go over the same ground; and the hon gentleman who moves the Bill admits that he has not a single new argument to present in its favour. There is no doubt that the labour organizations, at least the labour agitators, are anxious to show those organizations that they are doing some work in order to earn the money they get for their services. We know that they are always represented here. We have no objection to that. They want to be able to show those organizations that they are doing something for the money that is contributed week after week, and month after month, and year after year of the earnings of the workingmen to pay these men to agitate and promote certain changes. I agree with the views expressed by the hon. member from Belleville regarding the rights of the provinces. I think we should fully satisfy ourselves how far this Bill now before us comes within the jurisdiction of this House. Although I am not a lawyer, or the son of a lawyer, I am rather disposed to think that the subjects of property and civil rights are entirely under the control of the local legislature, and this Bill certainly is in the catalogue of civil rights. I think we should know the view of the Minister of Justice with regard to that. We should be certain before taking up this measure again, and going to all the trouble we did with it last year, that we are acting within the jurisdiction vested in us as a Senate and in any case I think the promoter should be able to bring before this House some stronger arguments than were presented before, in order that the House would feel justified in again hearing the whole evidence and disposing of it over again. What would you think of counsel for a convict or for a party that had not succeeded in court, if he went back to the same judge and asked if he could have the same case tried over again? The judge would naturally ask, 'What additional evidence have you to present?' If the reply was, 'Oh, I have no additional evidence at all,' I would like to know whether the judge would grant a rehearing of the case. He would not. He would naturally say, 'If a lawyer is prepared to submit new evidence, and fyle an affidavit that matters were overlooked in the last trial, and that he is prepared to give that information or evidence in the case if granted a new trial, then I will grant a new trial,' But here we have a case where there is not a tittle of new evidence. The promoter of the Bill does not say that he has anything to present in addition to what was presented last session. To ask us to go over that all again

is hardly courteous, I might say, to the Senate. I agree largely with what the hon. member from Belleville said upon the question. I don't think we should be forced to take up this question, and again grind away hour by hour, going over the very same evidence, and the very same arguments.

Hon. Mr. COSTIGAN—As long as I live we will grind it every year.

Hon. Mr. McSWEENEY—I am going to move the adjournment of the debate as a number of senators are absent who are anxious to speak on this. There is a lot of new matter coming up all the time, and I move the adjournment of the debate until Tuesday next.

The motion was agreed to.

QUEBEC HARBOUR COMMISSIONERS BILL

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (No. 31) An Act to amend the Quebec Harbour Commissioners Act, 1899.

On clause 1,

Hon. Mr. POWER—The new clause says that the president and other commissioners may be paid out of the net revenue of the harbour such remuneration for their services as the Governor in Council may determine. I have some doubt as to whether that is, on the whole, a very judicious way of fixing the pay of those commissioners. I think there ought to be some limitation.

Hon. Mr. LOUGHEED—There will be a limitation. It is not proposed that the commissioners shall receive the whole of the revenue of the harbour; but it is a very proper thing that they should be paid out of the revenue of the particular fund which they are administering.

Hon. Mr. POWER—Oh yes, that is alright, but the point is that there is no limitation to the revenue which they are to receive. They may be paid out of the revenue of the harbour such remumeration for their services as the Governor in Council may determine.

Rt. Hon. Sir RICHARD CARTWRIGHT—May I ask is there any net revenue?

Hon. Mr. LOUGHEED—Well, really I could not tell my right hon. friend whether there is or not.

Rt. Hon. Sir RICHARD CARTWRIGHT—My recollection is that there is no net revenue.

Hon. Mr. LOUGHEED—It is hoped that under the new commission more special attention will be given to the development of the harbour and its results than heretofore; but that remuneration will have to be fixed by the Governor in Council, and I fancy it can be safely left with the Governor in Council.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would say to my hon. friend opposite that by inserting the word 'net' you give those commissioners strong incentive to make both ends meet.

Hon. Mr. LOUGHEED—It is to be hoped they will.

On clauses 8, 9, 10.

Two commissioners shall be a quorum. If a quorum be present and act, vacancies in the corporation shall not prevent or impair the effect of such action. It shall not be necessary for more than two commissioners to sign any debenture, bond or other security that may be issued by the commissioners.

The Governor in Council may, from time to time, appoint one of the said commissioners as president of the corporation.

The president and the other commissioners may be paid, out of the revenue of the harbour, such remuneration for their services as the Governor in Council determines.

Hon. Mr. POWER—Perhaps the hon. gentleman will tell us what the provision in the existing law is with reference to the payment?

Hon. Mr. LOUGHEED—Under the existing law, the president or the chairman was entitled to an annual salary not exceeding $2,000. Then the commissioners received such renumeration for their services as the corporation determined by by-law. What that amounted to I really could not say. I understand that they received so much for every meeting.

The clauses were adopted.

Rt. Hon. Sir RICHARD CARTWRIGHT—Perhaps when we are getting the third reading my hon. friend can tell us whether the Harbour Commission have ever paid any interest on the sums advanced to them.

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

Hon. Sir MACKENZIE BOWELL—I think I may be safe in saying they never paid anything.

Hon. Mr. MACDONALD (British Columbia) from the committee, reported the Bill without amendment.

DEPARTMENT OF EXTERNAL AFFAIRS.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 58) An Act respecting the Department of External Affairs. He said: I gave an explanation of this Bill at the first reading, and the second reading was postponed until to-day at the request of the hon. gentleman from De Lanaudière.

Hon. Mr. DANDURAND—The Bill is in the right direction. It is a commendable move that this department should be put under the direction of the Prime Minister. I simply asked my hon. friend to adjourn the second reading because it struck me that I could perhaps suggest an extension to the activities of this department. The appointment of the deputy minister was a good one, and could not be improved upon. He will do honour to himself and to the country in the discharge of his duties, as he has in the past. The idea I want to submit is that perhaps the deputy minister should have an assistant, a literary man of repute in the French language, to supervise all documents sent to foreign governments. I have had occasion to notice that such documents in the French language have been so queerly translated that high officials of the French government have expressed a preference for English versions. It would be an important function of this new department to see that documents in the French language which are sent to foreign governments are in such form as will do the country honour. Coming from this bi-lingual country, I felt somewhat humiliated when I was in Paris to learn that documents emanating from the Federal government of Canada, were so badly translated that the French government asked that the English version be sent instead. Now this is a matter which the Department of External Affairs might well attend to. I had occasion myself some twelve months ago to suggest the appointment of an assistant deputy minister qualified to supervise documents from all departments which are sent abroad, and I suggested the name of a gentleman whose services have since been secured by the present government for another department. I hope the suggestion I make will be looked into and that such an official will be appointed to supervise the literary form of documents emanating from this government and parliament.

Hon. Mr. CLORAN—Does not the hon. gentleman think that the appointment of a secretary will remedy the difficulty? As I understand, defects arise from the manner in which the translation staff do the work. If such an officer as the hon. gentleman suggests were appointed he would require a whole translation staff.

Hon. Mr. DANDURAND—Of course I understand that these documents emanate from divers departments, and the translation should be better, but there should be a competent official attached to the Department of External Affairs to see that when these documents are sent abroad they leave this country in proper form, or at least in such a form as not to humiliate the people of Canada.

Hon. Mr. CLORAN—There is no doubt about that.

Hon. Mr. LOUGHEED—I think clause 4 of the Bill is sufficiently wide to permit of such an officer being appointed, but I shall take occasion to direct the attention of the Prime Minister, to whose department this is to be attached, to the remarks of the hon. gentleman.

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

BILLS INTRODUCED.

Bill (No. 12) An Act respecting the Erie, London, and Tillsonburg Railway Company.—Hon. Mr. Gibson.

Bill (No. 22) An Act respecting the Dominion Atlantic Railway Company.—Hon. Mr. Power.

Bill (No. 25) An Act respecting the Ottawa, Northern and Western Railway Company.—Hon. Mr. Belcourt.

Bill (No. 28) An Act respecting the West Ontario Pacific Raiway Company.—Hon. Mr. McMullin.

Bill (No. 33) An Act respecting the Alberta Electric Railway Company, and to change its name to the Alberta Interurban Railway Company.—Hon. Mr. Talbot.

Bill (No. 34) An Act respecting the Algoma Eastern Railway Company.—Hon. Mr. Watson.

Bill (No. 37) An Act respecting the Calgary and Fernie Railway Company.—Hon. Mr. Bostock.

Bill (No. 43) An Act respecting the Cap de la Madeleine Railway Company.—Hon. Mr. Montplaisir.

Bill (No. 45) An Act respecting La Compagnie du Chemin de fer de Colonisation du Nord.—Hon. Mr. David.

Bill (No. 51) An Act respecting the Pacific and Atlantic Railway Company.—Hon. Mr. Watson.

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

THE SENATE.

WEDNESDAY, January 31, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

EXPROPRIATIONS FOR CENTRAL STATION AT QUEBEC.

MOTION.

Hon. Mr. CHOQUETTE moved:

That an order of the House do issue for copies of Acts, documents, correspondence, &c., concerning the expropriation of the properties of F. Turgeon and F. Gunn, in the city of Quebec, for the purposes of a central station.

He said: My object in moving for the return is to ascertain what decision the government have arrived at, if any, with regard to the building of the central station at Quebec. According to the railway law all houses and buildings on property taken by the National Transcontinental Railway Commission at Quebec for the purpose of constructing a station belong to the government. Last summer they gave notice of expropriation to all the proprietors, including these two gentlemen, whose properties were required for the station, and offered so much for the property as valued by experts. Mr. Turgeon has notified the government that he is willing to accept the amount offered him, but Mr. Gunn has refused. Both cases came before the Exchequer Court, and proceedings are still pending. Later on, with the consent of the government, notice was served on the parties that the proceedings were suspended. At the time, in their name, I wrote to the chairman of the commission asking what the government were going to do. He wrote me that the matter was pending and he would give a reply later on. Nearly two months have elapsed and we have no answer yet. These parties want to know what they are to do. The lessees of the property do not know whether to renew their leases or not. In the meantime no rent is being paid to the owners because it is supposed to belong to the government, so these poor people have neither their property nor the money. They are placed in a very awkward position. If the government, for any reason, do not want the property, they should notify the parties to that effect, and pay damages for the injury done them. On the other hand, if the property is to be retained by the government they should pay the owners for it. I draw the attention of the leader of the House to the awkward position in which these people are placed, and there are hundreds of others in the city of Quebec who are in the same position. I hope we shall soon have a final decision in the matter.

Hon. Mr. LOUGHEED—There appears to be no objection to granting this return. The necessary steps will be taken to have

the papers brought down. From a memo. placed in my hands by the National Transcontinental Railway Commissioner, I learn that the names of Mr. Turgeon and Mr. Gunn, appear with a number of others contained in a description of the properties required by the Commissioners of the National Transcontinental Railway in Champlain Ward, and the Parish of Sillery, for the purpose of Quebec terminals. Mr. Turgeon's property is described as being on plan No. 160, Cad. No. 2272, Sup. ft., 1272, valuation $10,247.16; and that of Mr. Gunn, as being on plan No. 155, Cad. No. 2277, Sup. ft, 1219, valuation, $16,072.37.

In a memo. from the National Transcontinental Commissioners it is stated that these properties are on Champlain street, Quebec, and shown on the plan filed January, 1911, for the purpose of terminals at Quebec; also that valuators were appointed and on their reports information was laid before the Exchequer Court at Quebec on October 2nd, last, with a view to determining the compensation for these properties.

The Exchequer Court proceedings were stayed by direction of the Minister of Railways in November and nothing further has been done in the matter.

District Engineer Doucet, at Quebec, was written to last Friday to prepare all information in connection with the matter, and to fill out copies of the forms that were placed in the Exchequer Court, and as soon as received will be sent to the department.

THE STATE LIFE INSURANCE COMPANY OF INDIANAPOLIS.

INQUIRY.

Hon. Mr. CHOQUETTE inquired:

1. Is the State Life Insurance Co., of Indianapolis, Indiana, U.S., still doing business in Canada?
2. If so, has the said company made a report to the government for the years 1910 and 1911?
3. If not, has the deposit been returned, and what were the reasons given for discontinuing business?

Hon. Mr. LOUGHEED—The State Life Insurance Company of Indianapolis, Indiana, is still licensed to transact business in Canada.

The company made a report to the government for the year 1910. Its return for the year 1911 has not so far been filed. It is not required to be filed before March 1, 1912.

Its deposit is still with the Receiver General.

BILLS INTRODUCED.

Bill (No. 11) An Act respecting the Canadian Birkbeck Investment and Savings Company, and to change its name to the Canadian Mortgage Investment Company.—Hon. Mr. Kerr.

Bill (No. 13) An Act to incorporate the Liverpool-Manitoba Assurance Company.—Hon. Mr. Dandurand.

Bill (No. 15) An Act to incorporate the Vancouver Life Insurance Company, of Vancouver, British Columbia.—Hon. Mr. Bostock.

Bill (No. 57) An Act respecting the Union Bank of Canada.—Hon. Mr. Kirchhoffer.

QUEBEC HARBOUR COMMISSIONERS BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (No. 31) 'An Act to amend the Quebec Harbour Commissioners Act, 1899.'

He said: Yesterday my right hon. friend opposite, and my hon. friend the senator from Halifax (Hon. Mr. Power) asked for certain information relative to the revenue of this port. I beg to give the following figures: The revenue of the Commission for the year ending December 1, 1910, was $121,036.84, and the expenditure for the same period was $117,007.16, leaving a surplus of $4,029.68.

Rt. Hon. Sir RICHARD CARTWRIGHT—And the amount of interest on bonds?

Hon. Mr. LOUGHEED—The advances on loans from the Dominion government to date amount to $3,622,802.42. The interest payable on such loans is four per cent. The overdue interest on these loans amounted on the 31st March, 1910, to $3,312,795.40.

Rt. Hon. Sir RICHARD CARTWRIGHT—Will my hon. friend just repeat that?

Hon. Mr. LOUGHEED—The loan being $3,622,802.40—there must be some mistake about this $3,312,795.40, as being for overdue interest. That is clearly an error.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am not quite certain about that. That would be very interesting to know.

Hon. Mr. LOUGHEED—Those are the figures given me.

Hon. Sir MACKENZIE BOWELL—They are likely to be correct. When you consider the length of time that some of those loans have been standing it is not at all improbable.

Hon. Mr. LOUGHEED. The commission have only paid $72,300 interest all told, and the last payment was made in November, 1890, so that apparently they were paying interest up to 1890. Whether it was interest in full or not I cannot say. The commission have issued debentures to the public to the extent of $750,000. They pay interest on these debentures at the rate of four per cent semi-annually. The interest on them is paid up to date. Under the provisions of chapter 36 of the Statutes of 1907, the commissioners were authorized to issue $800,000 in preference bonds. So far only $400,000 have been issued. The secretary-treasurer advised the Department of Marine and Fisheries, under date of November 8, 1911, that the balance would be put on the market on the 1st December instant. Now, some other hon. gentleman asked me for information as to what remuneration the commissioners were receiving. The following is the information on that point:

By-law No. 108 as approved by order in council of the 17th May, 1910 reads as follows:

> Each commissioner attending a meeting of the commission or a sub-committee meeting at the time fixed for holding the same, shall be paid the sum of not less than $5, but not exceeding $10 for each attendance at such meeting.

Hon. Mr. CHOQUETTE—I ask the leader of the government if the same gentlemen have been appointed?

Hon. Mr. LOUGHEED—I really cannot recall the names, but when the Bill was read a second time I gave that information to the House.

Hon. Mr. CHOQUETTE—The names of the Liberals who were put out of office were given; but I desire to know the names of the gentlemen who will be appointed.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend gave us the names of the new commissioners on a previous occasion.

Hon. Mr. LOUGHEED—Yes, but my hon. friend must not labour under the impression that these were the former commissioners.

Hon. Mr. CHOQUETTE--Under this Bill, three commissioners will be appointed, and I desire to ask if the government has decided on the names? Are they Messrs. Chateauvert, Letellier and Bellier?

Hon. Mr. LOUGHEED—The names of the appointees are Mr. Victor Chateauvert, J. B. E. Letellier, and Mr. Bellier.

Hon. Mr. CHOQUETTE—Will those men be appointed under this Bill?

Hon. Mr. LOUGHEED—I think so.

Hon. Mr. CHOQUETTE—I do not object at all. They are very good men.

The Bill was then read a third time and passed.

THIRD READING.

Bill (No. 65) 'An Act to correct certain clerical errors in the French version of the Revised Statutes, 1906.'—Hon. Mr. Lougheed.

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 75) An Act to amend the Senate and House of Commons Act.

He said: The second reading of this Bill was permitted to stand at the instance of my hon. friends from Banff (Hon. Mr. Forget), and Prince Edward Island (Hon. Mr. Prowse). Nothing further has been done

towards remedying the grievance of which they complained. I have made a suggestion to my hon. friend from Prince Edward Island, which possibly, if acted upon, may result in some satisfaction being obtained. In the meantime I move the second reading of the Bill, and if it is the desire of those who are interested that it should be further postponed, I have no objection.

Hon. Sir MACKENZIE BOWELL—This Bill makes provision only for the future, and does not deal with cases such as those referred to by the hon. leader of the House. As I understand it, it does not remedy the injustice that was done to senators or members of the House of Commons who were appointed and took their seats at so late a period of the session that it rendered them liable to penalties for having accepted the positions. I am somewhat surprised that the government, when they were dealing with this question, did not make provision for cases of that kind. Last year I called the attention of the Senate to the case of a member from Prince Edward Island, who instead of receiving his travelling expenses was indebted to the country for a substantial amount on account of having accepted a position in this House. Surely that should have been provided for. When the attention of the late government was called to it, my right hon. friend, the then leader of the House, not only admitted the injustice, but made a tacit promise that it should be remedied. I am glad that my hon. friend has suggested that this matter should remain upon the order paper until the attention of the government was called to the injustice, and to the fact that no remedy has been provided for it. I should have preferred—and I think the general opinion of the members of the Senate and the House of Commons who have considered the provisions of the present Indemnity Bill is similar to mine—that the Act should have been remodelled from the first clause to the last. It is apparent to every one who has studied the question, and considered its application to members of parliament that there are injustices and incongruities in it. I pointed out upon previous occasions that the most wealthy men in this Dominion who are members of the Senate could attend, under the law, and did attend but a very few days during a session of three, four, five or six months, and drew an indemnity nearly as large as those who were present every day the Senate sat. Surely that is neither justice nor equity, and I do not think the provision should continue on the statute-book. The same incongruities and injustices exist in reference to the payment of mileage of members attending this Chamber. Take the case of Sarnia and London. When a senator leaves Sarnia to attend parliament, he takes the same train which brings the senator from London. The same time is occupied and the same expenses are incurred by both senators. One receives six or seven dollars, and the other receives thirty. The law provides certain payments for members of parliament and senators who live 400 miles from the capital, while the payment of the member who lives 399 miles is reduced to the actual expenses of his pullman and meals en route. Is there any reason in that? Abolish the travelling allowance altogether if you like. I am not advocating an increase of payment for mileage to any of us. Place every member on the same basis and equity and justice will be done. I am sure the hon. leader of this House realizes this fact, and will call the attention of his colleagues to these inequalities, incongruities and injustices to members and senators which exist under the present law as administered. I call the attention of the Senate to this, and having no power to do anything further, I request the government to give it their consideration. Abolish the day's pay if you like, but put all on an equal footing.

Hon. Mr. POWER—I quite agree with what has been said by the hon. member from Hastings, and I hope the hon. leader of the government will give full weight to the very important little speech that the hon. gentleman has made. With respect to the first point, as to the hon. gentlemen from Banff and Prince Edward Island, I understood the leader of the House to say the other day that he was in favour of having the amounts due to those gentlemen placed in the estimates; that inasmuch as this was a money Bill we could not amend it, but that the difficulty could be got over in that way. I hope the gov-

ernment, with that keen sense of fair play which they always exhibit, although these gentlemen are political opponents will treat them as well as if they were their political supporters.

Hon. Sir MACKENZIE BOWELL—I should like to call attention to the fact that these two senators are not alone. There are others.

Hon. Mr. POWER—All the others are supporters of the late government. I call the attention of the hon. leader to the fact, and it simply shows what care should be taken in dealing with this matter. I quite agree with the hon. member from Hastings in thinking that the law with respect to indemnity and mileage is in a most unsatisfactory condition. That law has been tinkered with a great deal during the last few years, and it seems to me that each change has simply made confusion worse confounded. A difficulty arose, and it was felt it was an abuse some years ago, when it was found that a gentleman might come here and stay one day at the opening of the session and never come back until the close, and at the close might draw nearly his full indemnity. An attempt was made in the House of Commons to remedy that abuse, and the result of the work done on that occasion was that while it perhaps hindered a member who came here at the beginning from counting all the non-sitting days, it was found afterwards that a gentleman who did not come at the beginning, but came near the close, could draw nearly the whole indemnity. I hope the leader of the government will call the attention of his colleagues particularly to this point; we have had cases here where a gentleman has spent a certain number of days as a member of the House of Commons, and who has been transferred to the Senate during the session, and that hon. gentleman has drawn two indemnities, one as a member of the House of Commons, and one as a senator, with certain deductions, so that in the end the member drew an indemnity of something like $4,000.

Hon. Mr. LOUGHEED—Just for information on that point, I should like to know was he permitted to hold the indemnity from both Houses, and did not the Auditor General put out that he was not entitled to do so under the Act?

Hon. Mr. POWER—No, because as the law stood he was entitled to the money. He drew his indemnity as a member of the House of Commons, less a deduction for the days after he was transferred to the Senate, and he drew his indemnity as a senator from the time he came into the House, less the number of days he was absent before he was introduced in the Senate, so he drew two indemnities with a certain moderate deduction. As this Bill before us is worded, I feel that that abuse may occur again, and care should be taken to so amend it that a member will not be in a position to draw a double indemnity.

Hon. Mr. DANDURAND—Do I understand that the cases which arose last year and which form the basis of this Bill may be attended to in the supplementary estimates, or is the leader of the House willing to postpone this Bill in order that he may introduce a clause to give it a retroactive effect?

Hon. Mr. LOUGHEED—What I said when introducing the Bill was this, that notwithstanding the fact that the attention of the government had been directed to the claims of these hon. gentlemen for indemnity which, apparently, they could not receive under the Act, yet the government felt that they would not be justified in making this Bill retroactive, not knowing precisely where it would end. The government has no official knowledge as to what those claims are, or how many claims there may be, or the amount of the claims. What I did suggest at the introduction of the Bill was that the proper method would be, instead of making a Bill of this kind retroactive, if there were any claims—and there apparently are—which should receive consideration, they should be presented to the government through the medium of the House of Commons and provided for in the supplementary estimates. I have suggested to my hon. friend from Charlottetown to-day that the attention of both leaders in the House of Commons should be directed to this grievance, and I fancy if proper

representation were made this grievance would be remedied. It seems to me a much more satisfactory way of doing it than to make legislation of this kind retroactive, not knowing where it may extend.

Hon. Mr. DANDURAND—Perhaps our colleagues who have claims for indemnity will hand a memorandum to the hon. leader of this House, who could transmit them to the Minister of Finance.

Hon. Mr. LOUGHEED—I shall be very glad to do anything I can to assist in remedying the difficulty. It is certainly one which, in my judgment, should receive most favourable consideration.

Rt. Hon. Sir RICHARD CARTWRIGHT —That can be done when we go into Committee of the Whole.

Hon. Mr. LOUGHEED—In the meantime, I move the second reading of the Bill, and after it is before the committee, if the House thinks that it should further stand, I am quite willing it should.

The motion was agreed to.

DEPARTMENT OF EXTERNAL AFFAIRS BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (No. 58) An Act respecting the Department of External Affairs.

(In the Committee.)

On clause 3,

3. The member of the King's Privy Council for Canada holding the recognized position of First Minister shall be the Secretary of State for External Affairs, and in this Act he is hereafter referred to as 'the Minister.'

Rt. Hon. Sir RICHARD CARTWRIGHT —It may, and my impression is that it will be found possibly inconvenient that the First Minister should always be charged with the administration of this particular department. We have on two or three occasions nominated a special minister to take charge of a department, with the provision that at any time, if found expedient, another minister might be charged with the administration of same. I do not care much about the matter, but I would suggest to my hon. friend that before the third reading is taken he might call the attention of his colleagues to the inconvenience that might arise from having a similar clause introduced; otherwise a formal Act would have to be passed—which is always to be avoided if possible, transferring it from the First Minister to some other minister. My own private impression is that the First Minister will find after a time that it will be inconvenient to attend to the duties of this department, and on the other hand it is not expedient, in my judgment, that it should ever come to be left wholly and entirely in practice to the deputy head. It is a department to which some minister or other should give personal attention.

Hon. Mr. LOUGHEED—I quite appreciate what my right hon. friend has said, but it seems to be the policy of the Bill, and the impression of the government, that this is an office which should peculiarly attach itself to the department of the First Minister.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not want to object to the Bill, but hereafter it may be found convenient to alter it.

Hon. Mr. LOUGHEED—But the question arises—and I would suggest to my right hon. friend to consider that point—as to whether it is not in the interests of the Dominion to make it obligatory that this office should be attached to the department presided over by the Prime Minister. The Secretary of State in Canada has never occupied the same position relatively to that of the Secretary of State in England, or in other constitutionally governed countries. It has never been considered an office of importance, such as many other departments of the government; but now that Canada has assumed a very important position amongst the other nations of the world, although we are simply part of the United Kingdom yet, there is no good reason why anything that is done in this department should not be done with the imprimatur, so to speak, of the Prime Minister upon it. I must confess that I am perfectly in sympathy with the policy of the Bill, making it obligatory that the office shall be administered by the Pre-

mier. It is in the interests of Canada that it should be so, and not that it should be attached to any subordinate or minor office.

Rt. Hon. Sir RICHARD CARTWRIGHT—I have had some experience in these matters, and I might tell my hon. friend this—my strong conviction is that the Prime Minister of Canada has, and will continue to have all that he can possibly attend to in discharging what are known to be the duties attached to his office, and that the result of this—while theoretically my hon. friend is all right—will be that this matter will be left to a very great extent to the permanent Under Secretary. The present permanent Under Secretary is a good officer, and will conduct it very well, but he may not always be equally good. While I have no disposition to oppose the progress of the Bill, I think my hon. friend will find that in this country, which is a federal republic in a sense, the Prime Minister is obliged to be absent frequently for very considerable spaces of time from the centre of affairs; and I can conceive a considerable number of cases in which the fact that he is the formal head of this department might cause considerable inconvenience and considerable delay. However, the hon. gentleman's government is responsible, and they must do as they please.

Hon. Mr. LOUGHEED—I should be very glad to let the third reading stand after the committee rises, and I shall direct the attention of the Prime Minister to the remarks which my right hon. friend has made. They may appeal to him so strongly as to lead to the insertion of a provision that, upon an order in council, this office may be attached to any other department of the government.

Hon. Mr. POIRIER—I believe that the direction of this office regularly appertains to the Premier. If my memory serves me right, in former times, before we had representative government in the shape we have it now, the foreign affairs were under the direction of the Secretary of State, who, at that time, was Prime Minister; he was, I believe, a Stuart under the Bourbons. Mutatis mutandis, taking the change of the name, the office actually reverting to the Premier is what it was in the beginning, under the care really of the Secretary of State, who then acted as Prime Minister to the King.

Hon. Mr. POWER—I realize the fact that there is a good deal of force in the objection taken by the right hon. leader of the opposition, but I cannot say that I have been convinced by what he has said that this Bill needs amendment in this particular. The external correspondence of the country must, as a matter of course, come before the Prime Minister; and it is above all things desirable that the correspondence should be, as far as practicable, confidential. Now, under the system which has been in operation during the last two years or so, this correspondence had to pass through three or four hands after leaving the Prime Minister's office. That was objectionable, and I am glad that this Bill proposes to do away with that objection. As to the case of absence of the Prime Minister, I think it is the universal practice that when the Prime Minister is absent from the capital some other hon. gentleman acts as Prime Minister, and of course he would be the acting Prime Minister with respect to this department as well as the department which the Prime Minister for the time being occupies. Then, while it is no doubt true that the duties of the Prime Minister are now more engrossing than they were some years ago, still I do not think that, considering that he has to see this correspondence, this Bill is going to impose any very great additional burden on him. And we find this, hon. gentlemen, that in a great many cases the Prime Minister of Canada has occupied the position of head of an important department. I remember that at one time Sir John Macdonald was Minister of the Interior, and at another time he was Minister of Railways. The hon. gentleman from Hastings was Minister of Militia, I think, when he was Premier.

Hon. Sir MACKENZIE BOWELL—I was Minister of Trade and Commerce when I was asked to form the government, but I surrendered that and took the Presidency of the Council. I might add that the practice in the past has been—and I think my

right hon. friend will remember it—that in the absence of the Premier the senior member of the Privy Council acts. I have a distinct recollection of my right hon. friend being the head of the government during the absence of the Premier.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have acted a half dozen times in that capacity myself.

Hon. Mr. POWER—Naturally the senior member would be discreet. I have nothing more to say.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not want to prolong the discussion unnecessarily, but I would just remark that the Prime Minister on several occasions did carry on the business of important departments besides being Prime Minister, and that to my certain knowledge—and I am not speaking with reference to one side more than to the other—the public service suffered severely from that fact. That is one of the reasons why I would desire to see the Prime Ministership, as far as possible freed from other work than that appertaining to it.

Hon. Sir MACKENZIE BOWELL—I fully concur in the remarks that my right hon. friend has made, because I distinctly remember that the Prime Minister at one time was also Minister of Railways and Canals. The business pertaining to that department is very laborious, and requires the close attention of the minister, and no Prime Minister in my opinion, should assume such responsibility. As head of the government he must have knowledge of everything that is going on, particularly the correspondence with foreign nations or the home government.

Hon. Mr. DANDURAND—This is the very reason why I commended the change yesterday when the Bill came up for second reading. My experience has not been as great as that of my right hon. friend to my left, but whatever experience I have had in the contact of representatives of foreign governments, as consuls general, with the Federal government, has been that to whatever department the correspondence went, it mostly had to find its way to the Prime Minister. Of course I know that among other nations it has not been the practice for the Prime Minister to hold the portfolio of foreign affairs. There may be good reasons why the Prime Minister in this country should not hold the portfolio of Minister of Foreign Affairs.

Hon. Mr. POIRIER—I think Mr. Poincarré holds it now in France.

Hon. Mr. DANDURAND—If he does—as I think he does—it is quite exceptional. It is very seldom the Prime Minister of a European nation has held that portfolio. It seems to me that, under our present conditions, the best thing to do is to allow this correspondence to go to the Prime Minister till new conditions evolve a change.

Hon. Mr. ELLIS—I suppose Great Britain would be a foreign country from the point of view of this Bill?

Hon. Mr. POWER—Yes.

The clause was adopted.

On clause six,

6. The administration of all matters relating to the foreign consular service in Canada shall be transferred to the Department of External Affairs.

Hon. Mr. POWER—The observations made by the right hon. leader of the opposition strengthen the objection to the passing of this particular clause. The consular service is not a diplomatic service It is a commercial service, and I think it would be found that the Prime Minister of the day would have more trouble in dealing with the subject matter of this clause than with everything else covered by the Bill. I do not think that any Prime Minister is supposed to be specially equipped for dealing with commercial problems. I am not going to move in the matter, but I think the wise course would be to strike out clause 6, and leave the consular business with the Minister of Trade and Commerce, with whom, I think, it would more properly rest.

Rt. Hon. Sir RICHARD CARTWRIGHT —We have no consular business.

Hon. Mr. LOUGHEED—We have not a consular service but the communications from the consular service in Canada should pass through the Department of External Affairs. My hon. friend is possibly confusing the term 'consular service' with 'trade agents,' who are under the jurisdiction of the Department of Trade and Commerce.

Hon. Mr. DANDURAND—We have been making history pretty fast in Canada the last ten years, and I do not suppose the Right Hon. Mr. Joseph Chamberlain would take the same stand to-day as he attempted to take some few years ago in the House of Commons in England, when he seemed to doubt that the government had taken upon itself to correspond with the German consul, Mr. Boppe, over German matters. It seems to me, therefore, we may as well recognize that there are consuls general here who can approach our government on diverse matters pertaining to the affairs of Canada.

Hon. Mr. POWER—I am not objecting to their approaching the government, but the question is through what channel? Inasmuch as the questions that are raised by consuls general are always commercial questions, they ought to go before a minister whose duty it is to deal with commercial matters, and, inasmuch as the Minister of Trade and Commerce seems to be the one who would have most to do with commercial matters, from that point of view, it seemed to me he would be really the proper officer.

Rt. Hon. Sir RICHARD CARTWRIGHT —The party who deals with the tariff is the party who would be approached by these consuls.

Hon. Mr. DANDURAND—The Minister of Finance?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

Hon. Mr. LOUGHEED—It seems to me that any approach which the foreign consular service would make to the government of Canada would be on behalf of the nation they represent, and must necessarily be through the highest channels of our government. True, the matters may be referred to other departments which may be more strictly concerned in them, but the channel through which they would come, I venture to say, would be the Prime Minister of Canada.

Hon. Mr. DANDURAND—I may inform my hon. friend that the consuls general were very happy when this department was created a few years ago, because for the first time, they were informed of the channel through which they could reach the government. Up to that moment, they never knew to what minister they should address their communications.

The clause was adopted.

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

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

THE SENATE.

THURSDAY, February 1, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

HIGH RIVER, SASKATCHEWAN AND HUDSON BAY RAILWAY COMPANY BILL.

FEES REMITTED.

Hon. Mr. DE VEBER moved that the fees paid in connection with the High River, Saskatchewan and Hudson Bay Railway Bill, last session, be remitted, less the cost of translating and printing.

He said: This Bill passed the Senate last session and went to the House of Commons. Some amendments were made there, but owing to the dissolution of parliament the Bill did not return to the Senate. I am taking the usual course in this motion.

Hon. Mr. ELLIS—I have no objection to the motion, but it seems to me the sum of money paid becomes the property of the Senate. At the end of the year, when the accounts were closed, the money was placed in the public treasury, and we may not be in a position to deal with it.

Hon. Mr. DE VEBER—We are still within the financial year, and the fees have been remitted by the House of Commons.

Hon. Mr. DAVIS—Is it customary to remit the fees in a case of this kind? I think we should have some reason for it.

Hon. Mr. POWER—Has the Bill been withdrawn?

Hon. Mr. CLORAN—Parliament dissolved and the Bill did not go through its final stages.

Hon. Mr. DAVIS—It is a bad principle to adopt.

The motion was agreed to.

SASKATCHEWAN LIFE INSURANCE COMPANY BILL.

THIRD READING POSTPONED.

Hon. Mr. WATSON moved the third reading of Bill (No. 26) An Act to incorporate the Saskatchewan Life Insurance Company.

Hon. Mr. CAMPBELL—I ask the hon. gentleman to let this order stand till next Tuesday. Representations were made to me by a prominent member of the other House in regard to this matter and I have been asked to make this request.

Hon. Mr. WATSON—May I ask what is the nature of the representations?

Hon. Mr. CAMPBELL—The difficulty is that last year a Bill was passed entitled 'The Alberta-Saskatchewan Life Insurance Company.' This company is called 'The Saskatchewan Life Insurance Company,' and in the event of the two companies coming into existence there will be confusion as to the names. The member of parliament desires to have the third reading of this Bill postponed to see if some other name could not be suggested.

Hon. Mr. WATSON—I do not see any objection to letting it stand, but these people had an opportunity to object to the Bill before the Banking and Commerce Committee. They were present at the committee and they came to the conclusion that there was no use in objecting. If people from Alberta adopt the name Saskatchewan, and other people living in Saskatchewan ask for a Bill with the name Saskatchewan in it, I do not see that there can be much objection.

Hon. Mr. GIBSON—The matter was brought to the attention of the Department of Finance, and Mr. Fitzgerald, superintendent of Insurance was appealed to in regard to it. He said there was no objection at all to the incorporation of this life insurance company. He was there on behalf of the government, and he could see that there was no infringement at all. The company was decidedly for the province of Saskatchewan, and the Bill was passed unanimously.

Hon. Mr. THOMPSON—He further stated that the insurance company to which reference has been made by Mr. Campbell, had never organized. It is not really in the field so far, and is not an insurance company in active operation.

Hon. Mr. CAMPBELL—But these gentlemen have plenty of time now to organize. The member of parliament told me that he had overlooked it in the House of Commons and in the Senate, and he asked me as a favour to allow the third reading here to stand.

THIRD READINGS.

Bill (No. 10) An Act respecting the British Colonial Fire Insurance Company.—Hon. Mr. Tessier.

Bill (No. 2) An Act to amend the Juvenile Delinquents Act.—Hon. Mr. Lougheed.

SECOND READINGS.

Bill (H) An Act to incorporate the British Canadian Loan Company.—Hon. Mr. Ross (Moosejaw).

Bill (No. 12) An Act respecting the Erie, London and Tillsonburg Railway Company.—Hon. Mr. Gibson.

Bill (No. 43) An Act respecting the Cap de la Madeleine Railway Company.—Hon. Mr. Montplaisir.

Bill (No. 45) An Act respecting La Compagnie du Chemin de fer de Colonisation du Nord.—Hon. Mr. David.

POLLUTION OF NAVIGABLE WATERS BILL.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. DE VEBER moved concurrence in the amendment made by the Standing Committee on Public Health and the Inspection of Foods to Bill (A) An Act respecting the Pollution of Navigable Waters.

Hon. Mr. POWER—I do not rise for the purpose of opposing this amendment, which is a very trifling one and, apparently, as far as it goes, is in the right direction, but I wish to express my surprise and regret that the committee to whom this Bill was referred, have not made much more considerable amendments to it, because I think that the Bill in its present form is unworkable. I had hoped that when it was referred to this committee they would have taken steps to make a practicable measure out of it. That is all that I wish to say. I suppose that the hon. promoter of the Bill proposes to have it go to the Committee of the Whole, where there will be some chance, perhaps, to improve it.

The motion was agreed to.

Hon. Mr. DE VEBER moved that the Bill be read the third time on Tuesday next.

Hon. Mr. POWER—Inasmuch as the hon. promoter of the Bill is not here, and as the Bill, being a public Bill, should go to the Committee of the Whole, the course that the hon. gentleman is proposing to take is irregular. I think he had better either postpone action until the return of the promoter of the Bill or let it go to the Committee of the Whole House.

Hon. Mr. DE VEBER—Then I move that it be referred to the Committee of the Whole House on Wednesday next.

The motion was agreed to.

BILL INTRODUCED.

Bill (I) An Act respecting the Trust and Loan Company of Canada—Hon. Sir Richard Scott.

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

THE SENATE.

FRIDAY, February 2, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILL INTRODUCED.

Bill (J) An Act respecting the Methodist Church.—Hon. Sir Mackenzie Bowell.

TRANSPORTATION OF MAIL MATTER.

MOTION.

Hon. Sir MACKENZIE BOWELL moved:

That an humble address be presented to His Royal Highness the Governor General, praying that His Royal Highness will cause to be laid before the Senate, copies of all contracts, agreements, &c., which are in force or which may become effective within the next twelve months between the government and any electric railway company for the transportation of mail matter and government officials and employees, including letter carriers.

The motion was agreed to.

DISMISSAL OF MATHIAS NADEAU.

INQUIRY.

Hon. Mr. COSTIGAN inquired:

Has Mathias Nadeau resigned the postmastership of Clair, county of Madawaska, New Brunswick, or if he has been dismissed? And also, if any change has been made in the fish wardenship at Lake Baker in the said county?

Hon. Sir MACKENZIE BOWELL—The answers to the two inquiries are as follow. To the first: Mr. Mathias Nadeau has not resigned or been dismissed from the postmastership of Clair, New Brunswick.

To the second, regarding the fishwardenship at Lake Baker: No change has been made in the fishery guardianship at Lake Baker, Madawaska county, New Brunswick.

Hon. Mr. COSTIGAN—Mr. Nadeau, a very respectable gentleman, has occupied the office for a number of years to the satisfaction of the public, and in the most convenient place for the public. I understand that the contractor for carrying the mails, has been notified that the con-

tract should cease, because the post office has been changed. That is the reason why I put the question. I do not think there is anything to be gained, even from a political point of view, in making these changes. I have had the honour of representing that constituency for a number of years. I do not think that I ever changed an office in a single instance without consulting the people who were living in the territory, believing that to be the true principle. Mr. Nadeau was also the customs house officer, and I thought he might have resigned the position because it involved a considerable amount of work, which he performed satisfactorily for a number of years, but for which it was claimed he was inadequately paid. The post office authorities would not increase his salary, for economic reasons, I presume, and perhaps for reasons I would not question at all. But this disarranges the whole system. The man who had the contract for carrying the mail may lose his contract because the office is to be removed from the present location, which is decidedly the most convenient place it could be located for the whole locality, near the railway station, near the bridge crossing to the state of Maine, to a place called Port Kent, and I would regret very much to hear that he was forced to give up the position, or that any change had been made in the post office location at that place.

Hon. Sir MACKENZIE BOWELL—I know nothing of the circumstances to which my hon. friend has referred. These answers were just placed in my hands.

DELAYED RETURNS.

Hon. Mr. McMULLEN—I should like to inquire of the government when we may expect the papers that have been ordered by the House in regard to the proposed dismissal of the postmaster at Orangeville? The order was granted Tuesday last. The papers cannot be very voluminous. I understand they are not down yet.

Hon. Sir MACKENZIE BOWELL—I have no information with regard to that return. I shall call the attention of the leader of the House to it when he returns.

Hon. Mr. COSTIGAN.

DOMINION ATLANTIC RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (No. 22) An Act respecting the Dominion Atlantic Railway Company.

He said: The principal object of this Bill is to extend the time for building a branch of the Dominion Atlantic Railway Company. It provides that the company may issue securities to the extent of $30,000 a mile on the road already constructed, or under contract for construction. As most hon. gentlemen know, this branch has recently become the property of the Canadian Pacific railway. I think that their powers of borrowing have been somewhat increased. I do not suppose there can be any objection to the Bill.

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

SECOND READINGS.

Bill (No. 25) An Act respecting the Ottawa, Northern and Western Railway Company.—Hon. Mr. Belcourt.

Bill (No. 28) An Act respecting the West Ontario Pacific Railway Company.—Hon. Mr. McMullen.

Bill (No. 33) An Act respecting the Alberta Electric Railway Company, and to change its name to 'The Alberta Interurban Railway Company.'—Hon. Mr. Talbot.

Bill (No. 34) An Act respecting the Algoma Eastern Railway Company.—Hon. Mr. Watson.

Bill (No. 37) An Act respecting the Calgary and Fernie Railway Company.—Hon. Mr. Bostock.

Bill (No. 51) An Act respecting the Pacific and Atlantic Railway Company.—Hon. Mr. Watson.

Bill (No. 11) An Act respecting the Canadian Birkbeck Investment and Savings Company, and to change its name to 'The Canadian Mortgage Investment Company.'—Hon. Mr. Kerr.

Bill (No. 13) An Act to incorporate the Liverpool-Manitoba Assurance Company.—Hon. Mr. Dandurand.

Bill (No. 15) An Act to incorporate the Vancouver Life Insurance Company of Vancouver, B.C.—Hon. Mr. Bostock.

UNION BANK OF CANADA BILL.

SECOND READING.

Hon. Mr. KIRCHHOFFER moved the second reading of Bill (No. 57) An Act respecting the Union Bank of Canada.

Hon. Mr. POWER—The most important provision of this Bill is that the head office of the bank shall be moved from the city of Quebec to the city of Winnipeg. That is a somewhat important change. Inasmuch as this company has branches in the lower provinces, the hon. gentleman in charge of the Bill should mention, at any rate, briefly, the reasons which lead to this change.

Hon. Mr. KIRCHHOFFER—The reason is that the largest portion of the business of the company has been transferred to the western part of Canada, where the bank has, I believe, the largest number of agencies of any bank in the country.

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

BILL INTRODUCED.

Bill (No. 27) An Act respecting the Security Life Insurance Company of Canada.—Hon. Mr. Owens.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, February 6, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILL INTRODUCED.

Bill (K) An Act to change the name of Ezra Butler Eddy Bessey.—Hon. Mr. Edwards.

GOVERNMENT ANNUITIES.

MOTION.

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

1. The number of annuitants and parties having made payments on account of purchase of same up to the 1st February, 1912?
2. The amount of money paid in to the same date?
3. The number of contracts for annuities entered into in each month from the 1st January, 1911, to the 1st February, 1912.
4. The number of letters received by the officials in charge of the annuities branch during same period.
5. The total number of lectures and addresses delivered during the said year, 1911.

Rt. Hon. Sir RICHARD CARTWRIGHT—My purpose in moving for the information required in this motion is two-fold. First of all, I wish to correct certain glaring misstatements that were made in the other House, and which were calculated, if not contradicted, to leave a very false impression as to the amount of work which had been done during the past two or three years by the Department of Annuities; and, in the next place, I think that the time is opportune to again call the attention of this House to the great importance of the underlying principle involved in the Act which we passed unanimously some three years ago, and the very great desirability, on every possible ground, of setting our faces against the mischievous project of introducing in a country like this a system of old age pensions. Those are both questions of considerable moment, and questions to which the attention of this House may very properly be directed for a few minutes. As regards the first, I observe in the report of the Debates in the House of Commons that by some extraordinary error—mistake, I am willing to suppose—the gentleman who succeeded me put down the number of annuities at 514—a mistake which was taken up and used largely in the debate that followed. The actual fact is that the number of parties who have contracted for the purchase of annuities is not 514, but nearly 3,000—between 2,700 and 2,800—and that the amount of hard cash which was paid into the treasury on account of it was about $1,250,000. Under the circumstances, and bearing in mind the difficulty of introducing such a scheme, those results most amply justify the statements I made to the House when I introduced the Bill, and I say that they reflect credit and not discredit on the parties who were entrusted, whether as lecturers or in any other capacity, with the task of laying this scheme before the people of Canada.

But I may tell the House that one reason, and not an insignificant reason either, why this matter did not receive better consideration at the hands of the working classes, for whose benefit it was more particularly intended, arose from the ignorant and ill-judged conduct of certain mischievous demagogues, both in and out of parliament, who did not scruple in many cases to assure the people intended to be benefited by this Act that if they would only wait long enough they would be perfectly certain to get what the Act proposed to give them for nothing at all. And also, I may add, by the very bad example which has been set by some colonies in a somewhat similar position to Canada, notably by New Zealand and Australia, who have introduced, on various occasions, diverse socialististic elements into the administration of their affairs, which I trust will never be introduced into the administration of Canada. I make that statement with knowledge, because before I introduced the Bill I was at pains to ascertain how these things had worked both in Australia and New Zealand, and I am within my rights in stating that a very considerable number of the ablest and best informed persons in these colonies, and no inconsiderable number of the working classes themselves, regret exceedingly the action taken in that direction. They allege, and allege with perfect truth, that no scheme could be devised more likely to destroy the spirit of thrift and providence among the working classes than by assuring them that whether a man was prudent or improvident he would be equally provided for in his old age by the state. In the case of England, which has been cited, I have less to say. I regard it as a distinct misfortune that the British government should have been obliged to introduce old age pensions; but I am aware, as every student of history is aware, that the condition of affairs in England affords no parallel or justification for similar action on our part. Whether it be owing to misfortune or misconduct in past times of the governing classes, or from what different causes it may be due, there can be little doubt that, as a former Prime Minister said on one occasion, there are in England millions of our fellow subjects who hardly know from one day to another whether they can secure a meal on the following day. Under these conditions, which I hope and believe will never exist in Canada, I do not feel free to criticise their action as I might otherwise, though I may remind the House that some of the ablest men in England, of both parties, deplore the necessity, if it be a necessity, for the action that has been taken.

I say deliberately that the worst enemies of the working classes are those who would seek to pauperize or degrade them into being recipients of pensions they have not earned, and I say further, that the true object for the people and the government of Canada to strive for is, as I have said time and again, not to make preparations to relieve the submerged tenth, but to see to it that no submerged tenth ever exists in Canada, at least for many generations to come. We have every advantage in our favour, and, if well used, Canada ought to be an example, and not, as the states that I have alluded to, a warning against the introduction of a system of old age pensions. It may interest the House to know that since this Bill of annuities was introduced, the officials engaged in conducting it have received testimonials from a very great number of different quarters, all expressing the strongest approval, not merely of the object intended to be attained, but of the method in which it was being attained. Without enlarging on the point, I may say they have come from parties widely opposite in other matters to each other, parties as far apart as Mr. William J. Bryan, and Dr. Gordon, better known as Ralph Connor, an author whose books I have no doubt, my hon. friend and many others of us have read with pleasure and profit. While I for one am always prepared, and will be prepared to do justice to the virtues displayed by many of the working classes, still I am within the judgment of this House, and of every man, who has paid any attention to the practical course of life of the working classes, when I say that both in the United States, and in England and Canada, a great many of the working classes, are, unhappily, gross-

ly improvident, and a great many are in the habit of expending on their personal indulgences sums which, if properly used, would put them far above the need of want in their old age. In fact, it is hardly an exaggeration to say that their improvidence has attained almost the proportions of a national sin. As to the cases of genuine misfortune, which undoubtedly occur sometimes, and will occur, with the resources at our command, our churches and our philanthrophic institutions, the people of Canada ought to be amply able to take care of such cases without applying to the federal government; and, if they fail, there are the municipalities and the provinces to fall back upon. Nor do I consider that granting pensions for the relief of parties who have fallen into misfortune is in any way a proper part of the federal work, or was ever intended to be made a part of it by our constitution. We stand here, to some considerable extent, at a parting of the ways. Either we may be called upon to spend very many millions for the purpose of providing old age pensions, or we may spend a few thousand dollars a year in educating our people and in encouraging habits of thrift. The House probably is not aware of the enormous cost which the system has already involved in England. I believe I am correct in saying that the present expense will amount to from thirty to forty million dollars a year at least, and in all human probability, if the proposals now before the House of Commons are carried out, it is likely to range close to a hundred millions a year. As respects the action of the government, if the government, or the parties who are charged with the administration of the department, had chosen to wait for a few months till they obtained an insight into the real working of the system, and had then decided on abolishing it, they would at least not have been subjected to the charge of acting with undue precipitation. What they have done has been to degrade the Annuities branch into a few mere clerkships under the control of the Post Office Department. They have abolished the lecturers, and they have done so exactly at the wrong time. Had they left it alone for a matter of two or three years, in all probability a sufficient number of persons would have become annuitants to have enabled the project to stand to a very great extent on its own feet without additional assistance, and when I state to the House that within the last year, from the 1st of January, 1911, to the 1st of January, 1912, 1,500 people more or less became purchasers of annuities, they will see that the lecturers were by no means remiss in their duty of bringing the matter before the attention of the public. As to the plan the government has adopted, of transferring this department to the post office, in my opinion it has been done inconsiderately. When we took this matter in hand, we made careful inquiries into the opportunities which the post office possesses for encouraging the purchase of annuities, and we found very shortly that it was a rotten reed to lean upon. We found that the vast majority of the postmasters knew nothing, cared nothing, and would take no trouble whatever even to disseminate the literature placed in their hands, and we found further, that of those who did understand the matter, a very considerable number were decidedly disposed to discourage it instead of encourage it, on the paltry ground that if they encouraged it it would detract from the amount of the savings at present deposited in the Post Office Savings Bank. I can tell these gentlemen that if the whole amount which is now at three per cent in the savings banks could be transferred into annuities, the people of Canada would have been enormously gainers by the transaction. I should not have spoken in this way but that the language which was used on both sides of the House in the lower branch showed that they knew very little indeed about the subject of which they were speaking. There was one honourable exception on the side of the government, and I am very glad to have the opportunity of paying tribute to him. I found, to my great gratification, that the Minister of Finance had taken the trouble to make himself well acquainted with the subject, and had spoken on it in a manner which did credit to his comprehension of the whole matter. The government may depend upon it, however, that no more penny-wise and pound foolish action was ever

taken than that of abolishing the lecturers. I speak with reason, and I speak with knowledge, after several years study of the situation, and I maintain that the proper diffusion of information on this subject must and can only be to a great extent by oral instruction and discussion between properly qualified parties and those whom we desire to induce to purchase annuities at our hands. I make no apology to the House for having detained them in this matter, because I know that in the course of a few years the question is bound to become a live and active one, and unless something is done, and unless some reasonable encouragement is given, the House may depend upon it that they will be called upon to spend many millions for the purpose of pauperizing the people, instead of a few thousand for the sake of educating them and giving them an opportunity of obtaining an honourable independence.

Hon. Mr. LOUGHEED—There is no objection to the return being brought down. Had I known that my right hon. friend was going to make the observations which he has made upon this subject, I might possibly have furnished myself with such information as would indicate why the government had changed this branch of the public service from the Trade and Commerce Department to the Post Office Department. However, in the course of a short time this information will be forthcoming. Of course it is very desirable in the public interest that no such mistake shall be circulated as that pointed out by my right hon. friend. As to the amount of annuities which have been sold under this particular policy, I might say that upon the present government coming into office, the impression in the Post Office Department, which had been apparently administered very wisely—or at least it was so contended under the late government—seemed to be that they could much more advantageously administer this branch of the public service than the Department of Trade and Commerce. The impression was held that the Post Office Department could by a transfer from the Trade and Commerce very substantially expand this particular branch of the public business, and sell very many more annuities than were being sold under the system which then obtained. I am not in a position to give facts and figures today; but upon the return being brought down I shall be very glad to state to the House why this change was made. I agree with very much of what my right hon. friend has said in regard to the undesirability of the government of Canada entering upon such a scheme as that which has been outlined, or at least advocated, of adopting the old age pension system in Canada. I think we are some distance from that as yet, and that we need lose no rest for some little time concerning the adoption of such a system as that which obtains in the United Kingdom, and I think I can further say that the public of Canada appreciate the services rendered by my right hon. friend in introducing the annuities system. Wherever I have heard any comment, whether it has been public, or whether it has been in private regarding this, it has been of a character which speaks most highly for the work rendered by my right hon. friend during the time he occupied the office of Minister of Trade and Commerce in placing before the people of Canada the desirability of providing for old age by a system of annuities such as we now have in Canada. However, I am very pleased to have heard the observations made by my right hon. friend, and this return will be brought down at the earliest possible date.

Rt. Hon. Sir RICHARD CARTWRIGHT—With the permission of the hon. gentleman I will say that if the post office can do the work well and good. When the matter comes up again I shall give some further reasons why I think it will be impossible to do justice to this system without some course more or less identical with the discredited system of lecturing. That, however, is a fair matter for difference of opinion; but when the government comes to examine it I think they will find that this particular business might be more efficiently carried on under the Finance Department, much in the same way as the life insurance is carried on, than it could possibly be done by the Post Office Department.

Hon. Mr. LOUGHEED—While my right hon. friend is on his feet, I would direct his attention to the fact that in England

this branch of the public service is carried on by the Post Office Department, and I understand it is carried on with great satisfaction not only to the government, but to the public of Great Britain.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does my hon. friend refer to the simple granting of old age pensions, or to the purchase of annuities?

Hon. Mr. LOUGHEED—I was under the impression that the purchase of annuities was attached to the Post Office Department.

Rt. Hon. Sir RICHARD CARTWRIGHT—Because he will find on examination that while there is no difficulty whatever in getting people to accept old age pensions, very small and very indifferent results accrued in the way of the sale of annuities. However, that is a matter that we can discuss later on.

The motion was agreed to.

INTERCOLONIAL RAILWAY PENSIONS.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

The number of men who received pensions under the Provident Fund of the Intercolonial railway of Canada for the year ending January 31, 1911?

Also, the amount paid out for pensions under the said Provident Fund Act during the same period?

Also, the amount contributed by the employees, and the amount contributed by the government for the above date?

And also, the amount to the credit of the said fund on hand, with the names, occupation and present residence of those in receipt of pensions under the said Act for the same period?

Hon. Mr. LOUGHEED—Will my hon. friend permit his inquiry to stand until to-morrow or next day? This information is now on the way from the department. I sent for it; it has been posted, and I expected it here to-day.

Hon. Mr. McSWEENEY—With the permission of the House, I would like this return to apply to 1912, as a mistake has been made in the date.

Hon. Mr. LOUGHEED—That will involve further delay.

Hon. Mr. McSWEENEY—I would like to have it placed on the order paper for this day week.

Hon. Mr. CASGRAIN—Perhaps the hon. gentleman desires to speak some time on this question, and unless there is something very important to be done to-day it might be well to advance the discussion. The hon. gentleman is prepared to address the House on the question.

Hon. Mr. McSWEENEY—No, this is a different question altogether.

CONTRACTS FOR SUPPLIES.

INQUIRIES.

Hon. Mr. MACDONALD (British Columbia) rose to

Call attention to the custom of having preferential lists in the spending departments to favour partisans, and ask the government if it is the intention not to adopt such a custom, but to award contracts to the lowest responsible bidder?

He said: I have no personal knowledge of the practice of the departments, but I have reason to believe that this system of patronage is practised extensively. I fully acknowledge the difficulty the government have in keeping their own friends and supporters at a proper distance from the treasury. A former Premier, some years ago, was asked how he liked being Prime Minister. He said, 'It is simply damnable; I cannot keep my own friends away from the treasury.' I believe that is as true of conditions to-day as it ever was. The government ought to recognize that the prosperity and revenue of the country are not made by any one party, but that the revenue is produced by the people and for the people, and should be used equally for the advantage of all. I hope there will be no gross partisanship displayed in this direction under the present government. The purchasing of supplies ought to be open to competition. My hope is that the government will be able to inform the House that it is not the intention to keep a patronage list, and that supplies will be procured by open competition.

Hon. Mr. LOUGHEED—By Act of Parliament, tenders for supplies exceeding $5,000 must be called for. Of course there are occasions when that practice has not been adhered to; but I am not aware of any partisan list or preferential list in the departments here. I made inquiry, and understand that there is nothing of the kind.

Hon. Mr. MACDONALD (British Columbia) rose to

Call attention to the employment of middlemen in the purchase of government supplies, and ask, will the government consider such a system unnecessary and invite tenders direct from the wholesale or retail dealers?

He said: Everybody knows there has been great abuse and the treasury has been robbed by middlemen. It is an extraordinary thing that deputies in the office should lend themselves to anything of the kind. It has been done more by them than by the heads of the departments. Still, as the final payment of accounts must come before the heads of the departments, they must be aware of what is going on. That deputies, in procuring supplies, should go beyond the wholesale or retail man, where they can purchase at the market price, and pay middlemen over one hundred per cent more, is unjust and indefensible. There have been many gross cases of that kind.

Hon. Mr. LOUGHEED—It is the intention of the government to invite tenders for the purchase of supplies, and where the tenderer can be relied upon, to accept the lowest tender.

THE BRITISH PREFERENCE.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the government.

If it is their intention to introduce a Bill during the present session to increase the British preference?

Hon. Mr. LOUGHEED—The attention of the government has not been directed to this matter as yet.

Rt. Hon. Sir RICHARD CARTWRIGHT—Or ever will be.

CARILLON AND GRENVILLE RAILWAY BONUS.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

1. If in 1856 the Parliament of Canada passed an Act to provide for, and encourage, the construction of a railway from Lake Huron to Quebec?

2. Were certain companies by this Act authorized to build railways from Quebec, Montreal and Brockville, to Ottawa (formerly called Bytown) formed into a company to extend the time from Ottawa to Lake Huron?

3. Was there among these a company, the Montreal and Bytown Railway Company, and was this company authorized to build a line between Montreal and Bytown, now Ottawa?

4. Did any of the Acts above referred to grant four million acres of land in the neighbourhood of the railway as a bonus towards the construction of a line to Lake Huron?

5. Were these lands to be delivered as each 25 miles of the line was built?

6. Was the Montreal and Bytown Railway Company entitled to 24 per cent of this grant?

7. Was the railway line referred to constructed as provided for in this Act?

8. Did the Montreal and Bytown railway construct 13 miles of line between Carillon and Grenville?

9 Did the railway become financially embarrassed?

10. Was this line in 1859 sold to a new company, incorporated by Act of parliament, under the name of the Carillon and Grenville railway?

11. Was this Act of incorporation amended and extended in 1860?

12. Did this new company acquire the property and rights of the Carillon and Grenville railway and were they further empowered by Act of parliament to connect their line with the Grand Trunk railway at Ste Claire or Lachine, near Montreal?

13. Does section 11 of the new Act of 1860 provide that in event of the company building the line between Ottawa and Grenville, or Grenville and Montreal, the company shall have all the rights and privileges conferred upon the Montreal and Bytown Railway Company by the Act 19th and 20th Victoria, Chapter one hundred and twelve, intituled: An Act to incorporate the Lake Huron and Quebec railway?

14. Is the Carillon and Grenville railway entitled to the benefits and terms under this Act?

15. Was an Act to incorporate the Canada Central Company and amend the Act to provide for and encourage the construction of a railway from Lake Huron to Quebec passed in 1861?

16. If so, does this Act confirm previous legislation respecting the land grants and rights of the Carillon and Grenville railway for its share of it?

17. Has there been any further legislation passed respecting cancellation or in any way taking away the rights or privileges above referred to?

Hon. Mr. LOUGHEED—We are taking the necessary steps towards getting this information, if at all possible, but most of it is in possession of the different provinces referred to, and it is yet uncertain whether we can furnish all the information from 1856 down to confederation. In the course of a couple of days I hope to be able to furnish an answer.

Hon. Mr. McSWEENEY—I have asked this question on behalf of the hon. member from Rothesay (Hon. Mr. Domville) who is unable to be present to-day.

THE RAILWAY BELT IN BRITISH COLUMBIA.

INQUIRIES.

Hon. Mr. BOSTOCK inquired:

Is it the intention of the government to put in force any regulations dealings with the administration of the land and timber in the Railway Belt in British Columbia. If so, how soon will they put the regulations in force?

Hon. Mr. LOUGHEED—The matter is now under consideration.

Hon. Mr. BOSTOCK inquired:

What action does the government propose taking to deal with the settlers on Crown Land in the Railway Belt in British Columbia who have for many years been living on land, which they spent time and money in improving, but to which they have not been able to get a title?

Hon. Mr. LOUGHEED—This matter is under consideration.

Hon. Mr. BOSTOCK inquired:

What action does the government intend to take to settle the question as between the squatters and the timber limit holders in the Railway Belt in British Columbia?

Hon. Mr. LOUGHEED—The same answer will be given to this. There are a number of controversal questions of this nature which have arisen between British Columbia and this government, and it will take some time to obtain all the information necessary for the proper consideration and settlement of them; but the matter is being dealt with as fast as possible.

WESTERN REPRESENTATION ON THE TARIFF COMMISSION.

INQUIRY.

Hon. Mr. DERBYSHIRE, in the absence of the Hon. Mr. Davis, inquired:

Is it the intention of the government to give the western provinces representation on the tariff commission?

Hon. Mr. LOUGHEED—As the Bill has not yet been passed by parliament, it is impossible to say what the government will do with regard to settling representation on that commission.

Rt. Hon. Sir RICHARD CARTWRIGHT—The hon. gentleman may assure them that the government will collect enough from the western provinces.

Hon. Mr. LOUGHEED—They will hear from the western provinces no doubt.

THE POSTMASTER AT ORANGEVILLE.

INQUIRY.

Hon. Mr. McMULLEN—Before proceeding with the orders of the day, I desire to refer to an order of this House, made this day week, with regard to papers relating to the dismissal of the postmaster at Orangeville. I moved for these papers, and the order of the House was given. I courteously went across the Chamber and asked the leader of the House to request the government that no action with regard to the dismissal should be taken until the papers were brought down, and he promised that action would be delayed. Instead of the government laying the papers on the table of the House, the postmaster was turned out of office last Friday, and the papers have not yet been supplied. It is a peculiar proceeding. I endeavoured to make the inquiry in such a way as to give the government as little trouble as possible; but instead of giving the matter any consideration they closed their ears to everything, and turned the postmaster out of office and installed another. I want to know to-day when may we expect to get those papers that were ordered by this House on Tuesday last?

Hon. Mr. LOUGHEED—My hon. friend is certainly labouring under a misapprehension. When he moved for this return some days ago, the question was asked whether the postmaster had been dismissed, and the answer was that he had been.

Hon. Mr. McMULLEN—No.

Hon. Mr. LOUGHEED—If my hon. friend will look at the record he will find that what I have stated is correct. Then he asked for the reasons, and I promised to bring them down. I saw the Postmaster General to-day, and he said the information had been sent, but I have not received it yet. The hon. gentleman puts me in a difficult position, as I have to contradict his statement that I gave a promise that the officer would not be dismissed until the papers

were brought down. I could not have given any such answer, because I stated at the time that the officer had been dismissed. The papers will be placed on the table doubtless to-morrow or next day.

Mr. McMULLEN—My hon. friend has evaded the question I put to him. I asked him to see that the proceedings were stayed in the case of the Orangeville postmaster until such time as the papers were brought down. He agreed that he would ask for that. In place of staying the matter until the papers were brought down, the government appointed a successor to the postmaster and installed him.

Hon. Mr. CLORAN—When was that?

Hon. Mr. McMULLEN—On Friday last.

Hon. Mr. CLORAN—The hon. leader of the House says he gave the hon. gentleman a reply to his question the Tuesday before.

Hon. Mr. McMULLEN—He did not.

Hon. Mr. LOUGHEED—If my hon. friend will look at his notice of motion on Tuesday, January 30, he will find that it was as follows:

That he will inquire of the government if it is their intention to dismiss Mr. John Park, Postmaster at Orangeville, Ontario, from his position as postmaster without giving him first an opportunity of answering any charges made against him?

The answer I gave to that question was that Mr. Park had been dismissed. I therefore, could not give an undertaking to my hon. friend to reinstate Mr. Park in view of that fact.

Hon. Mr. McMULLEN—I admit that my hearing is not very acute. I may have misunderstood my hon. friend, but I made the request that I have mentioned, to stay proceedings until such time as we had the papers before us, and he promised to do so. Instead of the government doing that, they appointed another man to the position that Mr. Park had held.

BILLS INTRODUCED.

Bill (L) An Act for the relief of Edna Wells.—Hon. Mr. Ratz.

Bill (No. 29) An Act respecting the Dominion Guarantee Company, Limited, and to change its name to 'The Dominion Gresham Guarantee and Casualty Company.—Hon. Mr. Casgrain.

Bill (No. 35) An Act respecting the Architectural Institute of Canada, and to change its name to 'The Royal Architectural Institute of Canada.'—Hon. Sir Lyman Jones.

Bill (No. 36) An Act respecting Barcelona Traction Light and Power Company, Limited, and to change its name to 'Barcelona Tramway Light and Power Company, Limited.—Hon. Mr. Beith.

Bill (No. 41) An Act respecting the Canadian Northern Quebec Railway Company.—Hon. Mr. Casgrain.

Bill (No. 47) An Act respecting the Hamilton, Waterloo and Guelph Railway Company.—Hon. Mr. Gibson.

Bill (No. 48) An Act respecting the Kootenay and Alberta Railway Company.—Hon. Mr. Bostock.

Bill (No. 49) An Act respecting the Montreal Central Terminal Company.—Hon. Mr. Owens.

Bill (No. 71) An Act respecting a patent of the Spirella Company of Canada, Limited.—Hon. Mr. Farrell.

SASKATCHEWAN LIFE INSURANCE COMPANY'S BILL.

THIRD READING.

Hon. Mr. WATSON moved the third reading of Bill (No. 26) An Act to incorporate the Saskatchewan Life Insurance Company.

Hon. Mr. CAMPBELL—There could be no possible objection to the third reading of this Bill except it be to the name. I desire to call the attention of hon. gentlemen to the fact that last year a charter was granted to a life insurance company called the Alberta Saskatchewan Life Insurance Company. That company is now about ready to do business. I have a telegram from Toronto stating that they have now over $350,000 subscribed by 55 prominent men in the west; over $25,000 has been paid in on actual stock account and deposited with a chartered bank; notice of the calling of a stockholders' meeting has been published for permanent organization under the statute of 1910, which organization will be perfected in a few days. Ob-

jection is taken to the name of this company, as it is called the Saskatchewan Life Insurance Company. Hon. gentlemen will easily see that if these two companies commence business in Alberta and Saskatchewan, it means that they will do business all over the Northwest, and as their business grows they will extend it not only through the Northwest, but also to the older parts of Ontario as well; and one can readily see that the names of the two companies being so much alike—The Alberta Saskatchewan Life Insurance Company and The Saskatchewan Life Insurance Company—that it is desirable, if possible, some change should be made in the title. It is true that this Bill passed through the House of Commons, and no objection was taken to it. It was also before the Banking and Commerce Committee of the Senate, and no objection was taken to it there; but, all the same, if there is any duty with which the Senate is charged above everything else it is that of preventing hasty legislation. The Senate is more a revising body than anything else, and it is our duty, if any Bill passes hastily through the House of Commons, or is not fairly well considered, to see that such legislation is carefully revised. It is but right and proper, and in the interests not only of this company but also of the other company, that some change should be made in the name. Perhaps it was a mistake last year in granting a charter to a company situated, as I believe it was, in Alberta—to give it the title 'Alberta Saskatchewan Life Insurance Company.' They ought to have been confined as to name to their own province, the Alberta Company. However, that was granted; we cannot undo it; but before we charter a company with a name that will certainly conflict with the other, and hamper both companies to a greater or less extent, I think we should make some change. I was requested by one of the members to ask that the Bill be referred back to the Banking and Commerce Committee, who are to meet to-morrow or next day, as I understand, with a view of seeing if some arrangement could not be made by which the name of this company could be changed. Personally, I think that if the promoter of the Bill would agree to call it The Life Assurance Company of Saskatchewan—which to my mind would be a better one than the one proposed—it would not conflict with the other name. I simply ask the promoter of the Bill if he sees the force of the objections I have raised, to refer it to the Banking and Commerce Committee and let them take the matter up at an early date. I have no interest whatever in the Bill; it makes no difference to me; but I was requested to make the suggestion, and I have already spoken to the promoter of the Bill, and hope that he will consent.

Hon. Mr. WATSON—I think the objection to the name is taken at a rather late stage of the proceedings. This Bill has been through all its stages; proper notices have been given; it has passed through all its stages in the House of Commons; and was submitted to and passed by the Banking and Commerce Committee of this Chamber, of which the hon. gentleman who has just taken his seat is a member. He had then ample opportunity of protecting the name of the company and preventing hasty legislation. He was there when the Bill to incorporate The Alberta Saskatchewan Life Insurance Company was passed last year. It would appear on looking over this Bill, that the incorporators are all residents of Regina, the capital city of Saskatchewan. Because those people from Alberta have chosen to come here at this late stage with a Bill in the title of which they desire to use the word Saskatchewan, we are told that the people of Saskatchewan must drop that name in the title of their company. It would not be fair to deprive the people of Saskatchewan of the right of using that name when they are doing business in their own province, simply because Alberta saw fit to add the word Saskatchewan to the title of their Bill. The promoters of the Bill are anxious to have it passed in its present shape. There can be no complaint by the people from Alberta that they did not know this Bill was being passed. That province has representatives in both branches of parliament, and this Bill went through without opposition. The superintendent of insurance, Mr. Fitzgerald, was present before the Banking and Commerce Committee, and saw no objection to this name, and I think he should be looked upon as an authority in such matters. He is there to hear complaints and to make

suggestions. The name suggested by the hon. gentleman from Toronto would not improve the situation at all, because we would still retain the word 'Saskatchewan.' The promoters of this Bill asked to have it passed in its present shape. I do not want to press it. If the promoters of the Bill are satisfied to make some arrangement, I am content. I do not think it necessary to refer it back to the committee. The change could be made in this House. I submit that unless the promoters are agreeable to the change, we should pass the Bill as it stands.

Hon. Mr. DANDURAND—The only question to be considered in determining whether we should comply with the request made by the hon. gentleman from Toronto is whether there will be confusion in the public mind if parliament incorporates 'The Alberta Saskatchewan Insurance Company,' and incorporates also 'The Saskatchewan Insurance Company.' If there is a consensus of opinion that it will cause confusion, I am under the impression that we must give preference and precedence to the claims of the company who were first incorporated by us with these two names, and that it is always time to alter the title of a Bill for the incorporation of a second company which is presently before us, because if we are convinced that there will be confusion, we simply place on the first company the obligation, as my hon. friend has intimated, of coming back here to alter its name. Therefore, we should either decide now, or if the motion be adjourned, decide at a later period the question whether we shall incorporate these two companies,' one 'The Alberta Saskatchewan Insurance Company, and the other the Saskatchewan Insurance Company.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman from Toronto is in error as to what took place in committee. The question was raised in the committee as to a conflict which might occur in the two companies doing business in the same section of the country, and it was understood, after a short discussion, that the Alberta Saskatchewan Company was not in a position to organize; that they had done nothing, and were not likely to do anything, and for that reason the objection to the name was not pressed.

Hon. Mr. DANDURAND—I would remind the hon. gentleman that the discussion did not even take place around the committee table, but took place by the side of the table.

Hon. Sir MACKENZIE BOWELL—That is quite right. When the question arose I took objection to the name. It is well known that in the past, in the Commons, and also particularly in the Senate, great care was taken in the passing of Bills not to incorporate a name that might conflict with an Act then upon the statute-book, and very properly so. The suggestion made by the hon. gentleman from Portage la Prairie, (Hon. Mr. Watson) to allow this question to stand for a few days, to ascertain if the promoters of the Bill, which we are now considering, would not consent to some change in the name, or adopt a name to which there could be no objection, is a fair one. If they agree to this suggestion, then the change can be made when the third reading of the Bill is proposed, instead of going to the trouble of sending it back to the committee. I would suggest to the hon. gentleman from Toronto that he should accept that suggestion, allow the matter to stand, communicate with the parties who are interested in the Bill, and see if some compromise could not be arrived at.

Hon. Mr. POWER—I regret to say that I cannot, as I usually can, agree with the hon. gentleman who has just resumed his seat.

Hon. Sir MACKENZIE BOWELL—That is a pity.

Hon. Mr. POWER—It is. I feel really very sorry, because I find that generally I can agree with the hon. gentleman. But there is this to be borne in mind with respect to the Bill: Suppose that the hon. gentleman from Portage la Prairie on Thursday states: 'On consultation with the promoters of the Bill I find they are willing to change the title slightly'; that does not end the matter, because the title occurs in some three or four places I think, in the body of the Bill, in two places at any rate. Consequently I think the course suggested

by the hon. gentleman from Toronto is, on the whole, the more convenient one. If we refer this Bill now to the committee, and the committee meet to-morrow, they can change the name in the title, and wherever it occurs in the Bill. The point on which I differ from the hon. gentleman from Hastings is, that in dealing with private Bills he apparently thinks we should consider only the wishes of the promoters of a Bill. The people whom we have to consider rather are those who will do business with these companies, and our duty is to see that there is no trap laid for the unwary; therefore, even though it does involve a slight delay, inasmuch as no risk of the ultimate fate of the Bill is involved, it would be better to follow the course suggested by the hon. gentleman from Toronto.

Hon. Sir MACKENZIE BOWELL—I confess I had overlooked the fact that the name occurred in a number of clauses in the Bill, but after the explanation of my hon. friend, it is my privilege and my pleasure to say that I perfectly agree with him.

Hon. Mr. CLORAN—Why should not the promoters of both companies form a merger, and have one company, with one set of officers, instead of having two separate companies, paying two staffs of officers, and wasting the money of the insured in building palatial offices in different sections of the northwest? If they merged, one office would be sufficient, and a vast amount of money would be saved in the conduct of the insurance business, which would redound to the credit of the insured? Would that suggestion be of any value before the Banking and Commerce Committee?

Hon. Mr. GIBSON—I think my hon. friend from Victoria division should remember that the more competition the better for the insured. If one company had control of the business of Saskatchewan and Alberta the rates would be raised. There would be no competition, and the company would charge whatever they desired. My hon. friend from Hastings made a slight error when he said a conference took place around the side of the table. That is not correct. The deputy minister, representing the government, was asked the question if he saw any objection to the Bill being allowed its name, and he said that he could see no infringement and, so far as that was concerned the promoters had complied with the rules, and he had no objection to raise against the name of the Bill as it stood.

Hon. Mr. CLORAN—Is the statement which my hon. friend has just made that the more companies the greater the competition based on his experience and study of facts? My experience is that the more companies there are the less the competition, and the greater the combine between companies the higher the rates become, and if one company refuses certain risks the other companies will also refuse them.

Hon. Mr. GIBSON—My hon. friend suggested the combination, not I.

Hon. Mr. CLORAN—I wanted to do away with the two companies and have only one.

Hon. Mr. CAMPBELL—I have no desire to refer the Bill back to the committee. Perhaps the object will be gained if the hon. mover will postpone the third reading to Thursday or Friday, and, if these gentlemen who are interested get together I think they can arrive at a compromise.

Hon. Mr. WATSON—I move that the order of the day be discharged and that it be placed on the order paper for Thursday next.

The motion was agreed to.

EXTERNAL AFFAIRS DEPARTMENT BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (No. 58) An Act respecting the Department of External Affairs.

He said: I would inform my right hon. friend that I directed the attention of the Prime Minister to the suggestion which he made; but he is of opinion that under no circumstances should the department be attached to other than the portfolio that is now held by the Prime Minister.

Rt. Hon. Sir RICHARD CARTWRIGHT —All right.

Hon. Mr. LOUGHEED—He ventured to say that even though the duties of the office of Prime Minister might be so onerous as to warrant his foregoing some of the duties attached thereto, under any consideration he would adhere to the duties incident to this office.

Rt. Hon. Sir RICHARD CARTWRIGHT —Then as to the point with respect to the consular agents; as a rule I think that any communications with the consuls are on trade matters pure and simple and really would much more belong to the Department of Finance than the Department of the Prime Minister. However, he will have to relegate it to the Finance Department.

Hon. Mr. LOUGHEED—My hon. friend refers to clause 6 of the Bill?

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not press it.

Hon. Mr. POWER—It was I who raised the question.

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

INQUIRIES ACT AMENDMENT BILL. BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 19) An Act to amend the Inquiries Act.

He said: In introducing the Bill, I made an explanation as to its objects. If the House desires any further remarks as to the desirability of amending chapter 104 of the Revised Statutes. I should be very glad to make them.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not know that there is very much objection to be taken to the Bill itself, although it may be subject to amendment; but in that connection I would call the attention of the hon. gentleman and of the community at large to the very important question of the character of some of the proposed appointments that are likely to be made, unless the newspapers are even more misinformed than they usually are with respect to carrying out these investigations. I am advised that it is the intention, among other things, to create a special committee—shall I call it a muck-raking committee—that I believe would be strictly constitutional and parliamentary—for the purpose of investigating, and either finding out or inventing any scandals that come handy against the preceding administration. I have no objection, for my part, that all proper investigation should be made—not the slightest—and if any faults have been committed, any errors of judgment, any extravagances, or anything else, let them be brought forward. But I have grave doubts, indeed, as to how the community at large will regard the appointment of several gentlemen whose past career shows them to have been neither more nor less than very active partisans—gentlemen who have gone over the country from one end to another making all sorts of accusations against the late government. Now, apparently, because everybody sees that those men must act in a judicial or semi-judicial capacity—these very accusers are to be made, practically speaking, the judges of the accusations which they brought forward. My opinion in these matters is that when the government find it necessary to conduct an investigation, that investigation should be put in the hands of parties of known high-standing, and as little as may be connected with political parties on either side. I may remind the House that that was practically what was done by the late government in issuing commissions such as that of Judge Cassels, with respect to certain irregularities which took place in Quebec, and also with respect to the investigations presided over by Mr. Courtney and other gentlemen in such matters. I am aware that there are objections, and I am aware that there are difficulties about employing judges too often in these matters; all the same I am very much disposed to think that none of those judicial investigations should be conducted except under the presidency, at least, of a judge, or a lawyer of such high standing that he could not afford to compromise his reputation by counten-

ancing any irregular proceedings. Unless I am very gravely misinformed, the gentlemen who have been appointed to conduct these investigations, could by no possibility be considered as anything else than extreme partisans, having the strongest bias and the strongest desire to make good the accusations which they had been for a long time levelling against the preceding government. I do not know how many have been appointed,—perhaps my friend can tell me—in the province of Quebec alone; but if, as I said, the statements made in the newspapers are to be believed, a very considerable number of gentlemen whose earnings would be extremely limited in the direct exercise of their profession, are now being employed at high rates per diem. I think I was told that one ingenious gentlemen was employed by one department at $15 a day, and by another department at $15 a day, which means $30 per diem; or something like $10,000 a year, roughly speaking, a sum which I doubt very much he would earn at any other occupation that might be devised for him.

Hon. Mr. CLORAN—And his expenses.

Rt. Hon. Sir RICHARD CARTWRIGHT—And his expenses, which are not likely to be slight or stinted, but such as become an official of the government. I submit that it is a very questionable proceeding, and one that requires to be very carefully looked after, that ordinary men, who, as I say, are neither more or less than accusers should sit in judgment on the charges that they themselves had brought; and in that respect I doubt very much the wisdom of the proceedings which the government have been taking. As to the inquiries themselves, properly conducted, I have no sort of an objection to make, although when we go into Committee of the Whole there may be some amendments which we may suggest to make sure that those gentlemen will conduct their inquiries with a reasonable amount of publicity, and with reasonable notice to the parties accused.

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

WAGES OF RAILWAY EMPLOYEES BILL.

DEFEATED.

The order of the day being called:

Resuming adjourned debate on second reading (Bill E) An Act concerning the Payment of Salaries or Wages of Employees of Railway Companies.

Hon. Mr. McSWEENEY—I think the proposed amendment to section 259 of the Railway Act to provide for fortnightly payment of wages is a very moderate request by employees to the Railway Department and the different railways of the country. I was struck by the remarks of the hon. gentleman from Victoria (Hon. Mr. Macdonald) in which he stated that no employees had asked for the Bill. We received here hundreds of names attached to petitions in favour of the Bill.

Hon. Mr. CLORAN—Without interrupting the hon. gentleman, I am the member from Victoria, and I don't remember ever having made such remarks.

Hon. Mr. McSWEENEY—Victoria, B.C.

Hon. Mr. CLORAN—Qualify if it pleases, because I would not have my name going on the records as making such a statement.

Hon. Mr. McSWEENEY—The hon. gentleman from Portage la Prairie (Hon. Mr. Watson) also stated that the labour representative—Mr. Harvey Hall, I think it was—stated that the railway conductors had sent no request to have their wages paid monthly. Well, I may say that I have here an address from the Trades and Labour Congress of Canada re Bill (E) which is as follows:

TRADES AND LABOUR CONGRESS OF CANADA.

Office of the Executive Council
112 Florence Street
Ottawa, November, 29, 1911.

RE BILL 'E'

Hon. and dear sir,—The Trades and Labour Congress of Canada represents, approximately, 100,000 organized wage earners in Canada. At the last convention of that body, held in Calgary, in September, 1911, there were present representatives of the following bodies, directly or intimately connected with the railways: maintenance of way men, telegraphers, carmen, electric street railwaymen, mineworkers, boilermakers, machinists, mould-

ers, blacksmiths, electrical workers, painters, and locomotive engineers.

The convention unanimously passed a resolution endorsing the Bill introduced in the House of Commons, last session, by Mr. Martin, and that subsequently was referred to a committee of the Senate, and which was practically the same as Bill 'E.'

In addition, the following resolution was unanimously passed:

Whereas, a party at Ottawa purporting to represent labour in Canada made the statement before a committee of the Senate at Ottawa, that labour as a whole did not favour any change from the monthly wage system; be it therefore

Resolved, that this congress places itself on record that this party was not authorized to make any such statement on behalf of any organized body connected with this Congress, and further, that this Congress again places itself on record as favouring a half-monthly pay system on all railways or other corporations who now have a monthly pay day; be it further

Resolved, that the executive council of this Congress be instructed to re-introduce this measure and use every effort to have an enactment passed by parliament making the half-monthly pay day compulsory throughout Canada.—Adopted unanimously.

The reference in that resolution is to the statement made by Mr. Harvey Hall before a committee of the Senate last session.

May we ask you to give Bill 'E' your support so that it may become law.

Yours respectfully,

JAMES C. WATTERS. Victoria, B.C., President.

FRED. BANCROFT, Toronto, Ont., Vice-President.

P. M. DRAPER, Ottawa, Ont., Secretary-Treasurer.

Executive Council, Trades and Labour Congress of Canada.

So that hon. gentleman will see that we are backed up by a very influential body representing the train employees all through Canada. I think myself that it is a very moderate request. There is no doubt that at present it is sometimes six weeks before those people get their pay, and in every case they hold a quarter back. Now, it is of vital importance to wage earners to have their money in hand because they can buy goods cheaper, and be more independent. It is not only better for the employees, but it is better for everybody, storekeepers and all.

Hon. Mr. THOMPSON—I understood the hon. gentleman to say that frequently railway employees did not get their pay within six weeks.

Hon. Mr. McSWEENEY—Yes.

Hon. Mr. THOMPSON—I understand that was on the first engagement, if they happen to start in at the first of the month. The information before our committee was that if a man began employment on a railway on the first of the month, six weeks would expire before he got his pay because the payments are made regularly on the 15th of each month. After one payment was made, if the man continued in the employ of the railway, as I understand the operation of paying railway servants, there are just four weeks between the 15th of one month and the 15th of the next, which becomes pay day. Although there were fifteen days when wages had not been paid under the original engagement, only 30 days or one month exists between the subsequent payments.

Hon. Mr. CLORAN—That is three weeks too long.

Hon. Mr. McSWEENEY—Payments are made weekly or fortnightly in Great Britain and in many of the States the same. They find no difficulty at all in paying; it only requires a few more clerks, a little more clerical labour. I shall read to the House a statement from the 'Star' of a night or two ago, as follows:

RAILWAY WAGES.

Senator Casgrain's proposal that the railways be compelled to pay their employees at least twice a month, will not seem excessive to men in most employments who would growl if not paid at least four times a month. It may be a serious thing for a workingman to be kept out of his pay for a month. It can easily mean that he must depend on his credit with some particular grocer, baker or butcher, which, in turn, will mean that he is deprived of the natural advantage of competition and pays too much for his groceries, bread and meat. The housewife who goes out to buy, cash in hand, is always in a better position than her less fortunate sister who buys 'on tick.' If the railway companies find it too expensive to pay as often as every fortnight, they ought to meet the men by paying in the middle of the month, and so sharing with them the burden of the delayed payment. This could easily be done with steady employees, while the temporary 'hands' must be paid frequently in any case. —'Star' Wednesday, January 31.

This is from one of the most influential newspapers in the country. The whole question has been thoroughly threshed out time and again, and I will simply say I am strongly in favour of the Bill.

Hon. Mr. DAVID—Last year this Bill came before the Private Bills Committee

and a report was made to this House, I then moved an amendment which I thought would be agreeable to a majority of the members of this House to refer it back, and an investigation took place before the Private Bills Comittee; witnesses were heard both on behalf of the companies and of the workingmen, and after I heard the evidence that was produced I came to the conclusion that this Bill as framed was unfair, and perhaps would entail too great a hardship upon the companies, and I think it was proved that in a certain case —if I remember rightly, it was the Grand Trunk railway—it would be impossible to put into execution the provisions of the measure as it existed. At the same time I was convinced that the labourers working for the company have good reason to complain. Then I thought that in this matter, as in many others, something could be done, that between the two extremes a middle line could be drawn which would do justice to the workingman without doing injustice to the companies. I was convinced also, after having heard the witnesses who came before the committee, that the Bill was not asked for by all the employees of the railway company. There was a gentleman, whose name I do not remember,—Mr. Hall, I think—who represented a certain association of employees, I think the trainmen, who did not care for the Bill and did not ask for it. But I put a question to him. I said: 'Do you think it would be wise to apply the Bill to those who are working in the workshops of the companies in the principal places where they have workshops and what they call mechanical and car departments ?'

He said: 'Well, that is different!' So that I thought it would not be proper for the Senate to reject the Bill absolutely and to lead the workmen to believe that everything in their behalf proposed in this House is always rejected. It is not proper to give them reason to think that the Senate is never disposed to entertain their demands. I am sure that the House will let the Bill go to a Committee of the Whole, and give to those who like myself are disposed to do justice both to the companies and the workingmen, a chance to lay their reasons before a Committee of the Whole House, why the amendment which I gave notice of should be accepted. I am sure hon. gentlemen will recognize it as reasonable and admit that it can be put into execution very easily by the companies. It will be good for the workingmen, and will cause no serious inconvenience to the companies. The effect of the amendment would be to put all those who are employed in the workshops or in the mechanical departments of the companies in the same position as those who are employed in manufacturing establishments. There is no reason to deny to the four or five thousand people employed in the Angus shops in Montreal the same advantage that is given to workmen employed in the cotton, textile, or iron establishments of the country, who are paid weekly, or every two weeks. This is my amendment:

Every person employed or working in the work shops and mechanical and car departments of any railway company to which the parliament of Canada has granted aid by means of a subsidy or guarantee, shall be paid on the first day of each month such wages as have been earned by such person during the first fifteen days of the preceding month, and on or after the fifteenth day of each month such wages as have been earned by such person during the first fifteen days of the month.

I ask that this Bill be referred to a Committee of the Whole House in order that we may hear the arguments for and against this and any other amendments that may be offered.

Hon. Mr. POWER—I am somewhat surprised that the hon. gentleman from Mille Iles, who is looked upon, and very justly so, as one of the great champions of provincial rights in this House, should advocate our dealing with a measure which I think must strike him as one that would come more properly within the sphere of the provincial legislatures.

Hon. Mr. CLORAN—If the hon. gentleman will allow me——

Hon. Mr. POWER—I shall not allow the hon. gentleman to interrupt me. I have the floor.

The SPEAKER—The hon. gentleman from Victoria has no right to interrupt the speaker.

Hon. Mr. CLORAN—I rise to a point of order; I want to know what is before the House?

The SPEAKER—The question before the House is the second reading of the Bill.

Hon. Mr. CLORAN—And the hon. gentleman from Mille Iles has moved an amendment.

The SPEAKER—No.

Hon. Mr. POWER—There is just about as much substance in that point of order as there is generally in the hon. gentleman's speeches. To my mind, the hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell) was perfectly right when he said that this was not a measure which came within our jurisdiction. This is a measure which deals simply with civil rights. Surely the engagements made between masters and their employees are matters for the local legislature. That is a matter of civil rights as clearly as anything can be.

Hon. Mr. CLORAN—Has not the hon. gentleman already spoken on this motion? If so he has no right to speak again.

Hon. Mr. POWER—I have not spoken.

Hon. Mr. CLORAN—I am so informed.

Hon. Mr. POWER—The hon. gentleman should not act upon hearsay. He ought to be a good enough lawyer for that at any rate. Constitutionally I think this is a matter which we should not deal with. I go further—

Hon. Mr. DAVID—I do not like to contradict the hon. gentleman on the question of provincial rights. I may be mistaken, but I understood last year that the principle was decided. Although a certain number of members of the Senate made the same objection, it was considered that the Bill, because it was a measure to amend a public and federal Act, was within our jurisdiction.

Hon. Mr. POWER—I do not remember everything that took place last year, but I remember that the committee reported against the Bill, and the Bill had not been passed at the time parliament was prorogued. It is slightly embarrassing when one has not prepared himself particularly to discuss a measure, that he should be interrupted so frequently. I think I have stated that, even if parliament had a constitutional right to pass this Bill, still I thought it was a measure that they should not pass. Why should parliament interfere between employer and employees, unless it is absolutely necessary? I contend that no necessity whatever has been shown for interference. The men who are employed by a railway company are not compelled to work for the company. They know the terms on which they are employed, they know that they are to be paid once a month; and if a man with his eyes open chooses to enter a service where he knows he is to be paid only once a month, why should he, after he gets into the service, try to induce parliament to alter the bargain he voluntarily entered into with his employer? I do not see it at all. I believe in giving labour every right it should have, but I do not believe that parliament should make itself a party in differences between employers and employees. For that matter, I contend there is no evidence that those employees have agitated, and made representations to the railway companies for the purpose of having this change made. It was not shown before the committee of last year that there had been any agitation, that the companies had been approached with a view of having this change made. Under the circumstances, it is really preposterous for the workmen to ask us to interfere between them and their employers, when there has been really no absolute conflict between them. When the workmen get up an agitation and fight it out with the railway companies for some time, then they can come before either the Railway Commission, which I think would have a right to deal with a question like this, or go under the Lemieux Act and have an arbitration. But to come here when there has been no absolute conflict, and ask us to alter the bargain they made with their employers is something which should not be encouraged. That is a kind of legislation which I do not think we in Canada should attempt. The hon. gentleman from Moncton (Hon. Mr. McSweeney) read certain resolutions which had been

passed at trades union gatherings; but, hon. gentlemen know very well how easy it is to get resolutions of this kind adopted.

Hon. Mr. LOUGHEED—Why they resoluted to abolish the Senate.

Hon. Mr. POWER—All you have to do at a meeting of that kind is to say this is a case in which labour is arrayed against capital, and any resolution at all, even though it were a resolution such as those passed in the Iron Workers' Union in the United States, will go through. The workingmen, so called, are true to their unions, and if one member of a union asks for a thing the probabilities are that he will be backed up by all the other members. There is always a shrinking from anything that looks like refusing to go the whole distance with their fellows. Outside of what we have heard here in parliament there has not been any agitation in the country on behalf of this measure. You never hear or read about it. The men who are really at the back of this Bill are not the workingmen themselves, but certain gentlemen who expect to make a little political capital out of the workingmen.

An hon. GENTLEMAN—Hear, hear.

Hon. Mr. POWER—I could understand that if I ran as candidate for mayor in a city in which the labour element is very strong, I should perhaps introduce a Bill of this kind.

Hon. Mr. CASGRAIN—The election is over now.

Hon. Mr. POWER—There are other elections to come. I can understand too that there are certain gentlemen who, amongst the multifarious objects that they take under their protecting wings, include all classes of labourers, and who think they should, as a matter of course, support a measure of this kind; but how any business man, any sensible man who wishes well for his country, should undertake to urge a measure of this kind, I do not understand.

Hon. Mr. CASGRAIN—Sir Wilfrid drafted that Bill himself.

Hon. Mr. POWER. I do not think the hon. gentleman is justified in making a statement of that kind. In the first place, unless Sir Wilfrid stated it himself, it is mere hearsay, and in the next place I do not think it is a fair argument. It is not impossible that the gentleman who was introducing the measure may have gone to Sir Wilfrid, and asked him to put his idea into correct language. That may have happened; but I am satisfied that Sir Wilfrid did not himself originate or draft the Bill. I have not looked into the statute creating the Railway Commission, but it seems to me this is a question which might very properly come before the Railway Commission. Before that body, the men will get fairplay. The Railway Commission has not shown any disposition to unduly favour the railway companies, and if the men have a grievance, I am satisfied the commission would, unless I am wrong in my view, of the law, see that they got fairplay. The hon. gentleman must remember also that if we legislate this way for the railway employees we shall be obliged to legislate for any other class of working people who come forward and say we need to be paid weekly, daily. or every six hours. There is no limitation to it.

Hon. Mr. CASGRAIN—It applies only to railways subsidized by the Dominion.

Hon. Mr. POWER—For instance, take the civil servants of this country. They are, I take it, very nearly as deserving a class as the railway employees, but they are paid only once a month. The truth is, any class of people who get good wages or good salaries, and who are certain to be paid every month have no reason on earth to complain. The great trouble with most people is that they cannot get their pay when it becomes due. I am sorry that I should be obliged to differ from two or three hon. gentlemen here for whom I have great respect, but I feel that it is due to ourselves, and to this House that we should look at this question in a cold-blooded and businesslike way.

Hon. Mr. BELCOURT—I am in sympathy with the Bill, and would like to see it become law, but it seems to me it is not within our jurisdiction. The Bill provides that any employee of any railway company to

which the parliament of Canada has granted aid by means of subsidy or guarantee, &c. I have a doubt as to whether the mere fact of the parliament of Canada having granted aid to a railway is sufficient to give us jurisdiction to pass such a law as this. If the Bill were confined to employees of railway companies incorporated by parliament, then it might perhaps be within our jurisdiction. The Privy Council has established the principle that parliament has a right to legislate on the necessary incidents of those subjects which are clearly within its jurisdiction. For instance, in any matter in which jurisdiction is given to parliament if it is necessary to legislate on any incident necessarily connected with that legislation, though that incident might of itself be the subject of provincial legislation, it has been held by the Privy Council that we can legislate not only on the subject, but on the incident as well; but only in such cases where the incident is connected with a principal subject, which subject is clearly within our jurisdiction; but I doubt very much if the railway companies, and I think the payment of wages to employees of such companies would be an incident, and so far as they are concerned, parliament would have jurisdiction; but I doubt very much if the mere fact of granting aid to a railway company would be sufficient to give parliament jurisdiction concerning the payment of wages by that railway company. Take the case of a railway company incorporated in the province of Ontario, a purely provincial corporation, amenable only to the laws of the province; would the mere fact of parliament aiding it be sufficient to bring that corporation within the jurisdiction of this parliament? I do not think so.

Hon. Mr. CASGRAIN—It is made to apply only to federal roads.

Hon. Mr. BELCOURT—Oh no, that is where the difficulty in my hon. friend's Bill lies. The language used clearly contemplates, and very probably will include provincial railways, to which parliament may have granted aid by way of subsidy or otherwise. It is clear to my mind, so far as these provincial companies are concerned, that we have no sufficient jurisdiction in parliament to legislate concerning wages of employees of those railways. If my hon. friend wants to make his Bill constitutional, he should say 'any railway company incorporated by the Parliament of Canada.' Otherwise I do not think it would be constitutional.

Hon. Mr. CLORAN—Has not parliament already legislated in the very direction to which the hon. gentleman takes objection now? Parliament compels all railways which have been aided by the Dominion to grant free transportation to senators and members of the House of Commons.

Hon. Mr. BELCOURT—That is a different question.

Hon. Mr. CLORAN—It is a different question but along the same lines.

Hon. Mr. POWER—With the leave of the House, I wish to call attention—because it is an important incident—to the fact that before the committee of last year, when the committee were about reporting on the Bill, the gentlemen who represented the Canadian Pacific railway and the Grand Trunk Railway Company both stated in the most positive manner that if a majority of their employees expressed a desire that this practice should be adopted of paying semi-monthly, the companies would adopt that practice.

Hon. Mr. CLORAN—Will the hon. gentleman state to the House what the answer was on behalf of the men—that they dare not do so.

Hon. Mr. DANDURAND—I may answer the hon .gentleman, that in so far as the Grand Trunk Railway Company of Canada is concerned, nobody appeared on behalf of the men to ask for such a Bill. The member for the division in which the terminals of the Grand Trunk railway are situated, who is now the Minister of Justice of Canada, who appeared before us, declared that he had had no representation from the men of the Grand Trunk railway —that not one man had approached him to ask for this legislation, but that he appeared at the request of a number of merchants in his division who preferred the bi-monthly pay to the monthly payment.

However, I do not rise to discuss the position that the railway employees took. We are now dealing with the principle of the Bill. I had occasion to say last year that I could not comprehend on what lines this Bill was framed; but the hon. gentleman from Ottawa (Hon. Mr. Belcourt) has just drawn attention to the fact that the division seems to be very clear indeed. This seems to be governing railways which had been subsidized by the government of Canada. I wonder why my hon. friend has not drafted this Bill to cover the railways that have been incorporated by the Dominion, because they fall under the jurisdiction of parliament. It does not mean that the principle of the Bill would not be adhered to, but at all events he would have solid ground, and he would not have legislation which appears to be absolutely arbitrary as to its scope. The hon. gentleman from Halifax (Hon. Mr. Power) seems to doubt that parliament has a right to regulate companies not incorporated by Canada. This doubt has been removed by a judgment of the Privy Council on a reference made by pparliament itself, in 1904. An Act was passed, 4 Edward VII., Chap. 31, which declared that no agreement with railway employees by which the companies were relieved from liability for personal injury could avail in any law suit in damages. I am just putting briefly the effect of this legislation. This Act was referred to the Supreme Court of Canada. The Supreme Court declared that the Act was intra vires of the federal parliament and the Privy Council, on appeal, rule as follows:

> The question in this appeal is as to the competency of the Dominion parliament to enact the provisions contained in section 1 of 4 Edward VII., chapter 31, of the Statutes of Canada. These provisions may be generally described as a prohibition against any 'contracting out' on the part of railway companies within the jurisdiction of the Dominion parliament from the liability to pay damages for personal injury to their servants.
>
> It is not disputed that, in the partition of duties effected by the British North American Act, 1867, between the provincial and the Dominion legislatures, the making of laws for through railways is entrusted to the Dominion.
>
> The point, therefore, comes to be within a very narrow compass. The respondent maintains, and the Supreme Court has upheld his contention, that this is truly railway legislation. The appellants maintain that, under the guise of railway legislation, it is truly legislation as to civil rights, and, as such under section 92, subsection 13, of the British North America Ac, appropriate to the province.
>
> The construction of the provisions of the British North America Act has been frequently before their Lordships. It does not seem necessary to recapitulate the decisions. But a comparison of two cases decided in the vear 1894, viz: Attorney-General of Ontario, v. Attorney General of Canada (1894) A.C. 189; and Tennant v. Union Bank of Canada (1894), A.C. 31—seems to establish these two propositions; first, that there can be a domain in which provincial and Dominion legislation may overlap in which case neither legislation will be ultra vires, if the field is clear, and secondly, that if the field is not clear and in such domain the two legislations meet, then the Dominion legislation must prevail.
>
> Accordingly, the true question whether this law deals with a civil right—which may be conceded—but whether this law is truly ancillary to railway legislation.
>
> It seems to their Lordships that, inasmuch as these railway corporations are the mere creatures of the Dominion legislature—which is admitted—it cannot be considered out of the way that the parliament which calls them into existence should prescribe the terms which were to regulate the relations of the employees of the corporation. It is true that, in so doing, it does touch what may be described as the civil rights of those employees. But this is inevitable, and, indeed, seems much less violent in such a case where the rights, such as they are, are, so to speak, all intra familiam, than in the numerous cases which may be figured where the civil rights of outsiders may be affected. As examples may be cited provisions relating to expropriation of land, conditions to be read into contracts of carriage, and alterations upon the common law of carriers.

This judgment of the Privy Council seems to be on all fours with this Bill, although there remains to be settled by this House the question of policy. I would not be disposed to vote in favour of the Bill as it now stands, and I will await whatever amendment may be brought before the Committee of the Whole to see if I can support it.

Hon. Sir MACKENZIE BOWELL—I ask whether the judgment did not refer entirely to the liability of railway companies to the employees who met with accidents? I understood from the reading of the decision that that was the cause of the appeal to the Privy Council and that the Privy Council decided that the railway corporations were not relieved from liability for accidents to their employees. Does the decision go further than that?

Hon. Mr. DANDURAND—It went to the extent of declaring intra vires the legisla-

tion passed by the parliament upon this subject.

Hon. Sir MACKENZIE BOWELL—I understand that; but the application of those words, as I understand it, was exclusively to that one point, and not to the question of a bargain that might be made as to the amount the men should be paid for their services.

Hon. Mr. DANDURAND—Oh, no.

Hon. Sir MACKENZIE BOWELL—Then if I am right, that is not applicable?

Hon. Mr. DANDURAND—But it declared that we could legislate on all things ancilliary to the incorporation of a railway and to the powers governing thereto.

Hon. Mr. CASGRAIN—I did not rise to a point of order when the hon. gentleman from Halifax was speaking, but I think it is only right that I should make a correction. There is a well-established rule of the Senate that we must not impute motives. The hon. gentleman from Halifax said that the hon. member who was promoting this legislation was seeking to become mayor of the great city of Montreal, and, with the object of obtaining the votes of the workingmen, this measure was being introduced. That was imputing a motive. An old parliamentarian like the hon. gentleman from Halifax should set a better example in this House. I did not choose to interrupt him and I let it pass for the time. Another matter which I wish to correct, which is also very much against the rules of this House, is the remark by a senator, doubting the statement made by an hon. gentleman in this House, that Sir Wilfrid Laurier had drafted this Bill. If hon. gentlemen will refer to 'Hansard' of 1911, they will find after the Bill had passed its second reading unanimously in the House of Commons——

Hon. Mr. BELCOURT—Was it the same Bill?

Hon. Mr. CASGRAIN—Exactly the same Bill—verbatim. After it had passed the second reading unanimously in the House of Commons, it went into committee and Sir Wilfrid Laurier said:

'This clause, which will be the whole Bill is amended to read as follows'—

And then follows the Bill verbatim as presented by myself.

Hon. Mr. POWER—I am sorry that the hon. gentleman from De Lanaudière should have taken the more or less facetious observations which I made as applying to himself. I never mentioned the city of Montreal, and never mentioned the hon. gentleman from De Lanaudière. All that I said was, I could understand that a gentleman who was aspiring to the position of mayor of a city where there were a great many workingmen might support a measure of that kind.

Hon. Mr. CASGRAIN—How many such gentlemen are there of that kind in this House?

Hon. Mr. POWER—I did not think the hon. gentleman was going to put the cap on in that way.

Hon. Mr. CLORAN—The hon. member referred to the hon. gentleman who introduced the legislation.

Hon. Mr. POWER—The hon. gentleman, as usual, is in error. I did not say that. I said that I could understand a gentleman wanting to represent such a city introducing such legislation. I did not say that anybody did introduce it, and really I think the hon. gentleman from Victoria (Hon. Mr. Cloran) should have a private secretary who could take the notes of things for him, so that he would be able to get them correctly.

Hon. Mr. CLORAN—What did the hon. gentleman mean, if he did not mean what he said?

Hon. Mr. WATSON—I made a few observations a few days ago on this measure, and, in justice to a representative who appeared before that committee I desire to correct the statement. In my remarks I think I said that the engineers were represented before that committee and that they were not in favour of the Bill—at least I am so reported. I am informed by the representative of the engineers that he appeared before the committee in favour

of the Bill. I mentioned two gentlemen, Mr. Harvey Hall and Mr. Maloney, but am informed that neither of these gentlemen represented the engineers.

The House divided on the motion for the second reading of the Bill, which was lost on the following division:

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PUBLIC ARCHIVES BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (No. 66) An Act respecting the Public Archives.

(In the committee.)

On clause 3,

The Governor in Council may appoint an officer to be called the Dominion Archivist, who shall have the rank and salary of a deputy head of a department, and who, under the direction of the minister, shall have the care, custody and control of the public archives.

Hon. Mr. POIRIER—I have made a particular study of this Bill, because I am somewhat interested in the matter of archives. The government has made a good move in transferring the archives from the Agricultural Department to that of the Prime Minister. But this clause somewhat puzzles me; it changes to a considerable extent, as I understand, the status of the Dominion Archivist. Dr. Doughty is a most efficient official, and the right man in the right place, a gentleman who seems to possess particularly exquisite qualities for holding that position. Therefore what I say is not intended to cast a reflection, direct or indirect, upon that gentlemen, either in his personal or his professional capacity. But there is to-day in the Archives Department another gentleman who occupies a position apparently equal to that of Dr. Doughty. This gentleman is Dr. Roy, who was appointed to the position by the Liberal government some three or four years ago on account of his special efficiency, to look more particularly after the French portion of the Archives. You readily understand that a person, however well versed he may be—and Dr. Doughty is one of those persons—in historical lore has his hands full looking after the English part of the Archives; and that as the country was for centuries under the domination of France, there is a wealth of French manuscripts and documents which it will take almost a man's life time to master. These being the facts, the late government selected Mr. Roy, from the province of Quebec. His appointment, as I see by a report of the Committee of the Privy Council, is dated the 14th May, 1908, and reads as follows:

'Mr. Joseph Edmund Roy, Litt. D., F.R.S.C., of the town of Levis, Quebec, is appointed a member of the staff of the Archives Branch of the Department of Agriculture with a salary at the rate of $3,000 per annum from the 1st of May, 1908.'

Now, that salary of $3,000 per annum is exactly the salary drawn by Dr. Doughty, which prima facie shows equality at least of salary. Equality of salary in this case pretty well indicates an equality of status. I would like to ask my hon. leader what, under this clause, is going to become of this gentleman?

Hon. Mr. LOUGHEED—This department will be adminstered the same as any other department. My hon. friend must rely upon the government to do what is right with reference to all the employees of this particular branch of the public service. We cannot give each employee a

status in the Bill. The head of the department is Dr. Doughty.

Hon. Mr. POIRIER—What I wanted to know was whether any provision was made for this gentleman, who at the time of his appointment occupied a position as regards salary and status, exactly on a level with Dr. Doughty, except as to title.

Hon. Mr. LOUGHEED—I am entirely unaware of any contemplated interference with the present employees of the department. My hon. friend will have to rely on the Prime Minister, who will be the head of that department, seeing that justice is extended to all the employees.

Hon. Mr. POIRIER—I am glad to hear that. I may raise the matter later on, but I certainly rely on my leaders, the Premier and the leader in this House.

Hon. Mr. LOUGHEED—There cannot be two deputy heads of a small department.

Hon. Mr. POIRIER—The hon. leader of this House says there cannot be two deputy heads. I crave permission to contradict him. There can be, and there are at times, in certain places, two deputy heads; witness the library here, where Mr. Decelles is librarian and Mr. Griffin is also librarian, Mr. Decelles holding precedence. The position of archivist is as important to this House and to the country as that of librarian. An Englishman once said: 'Give me the making of a nation's songs and I will give you the making of its laws.' Gentlemen give me the making of the history of a country, and I will pretty well shape its standing or its good name in history. In this particular case I have personally all confidence in the actual incumbent of the place, but it is most important that our archives be well looked after. I will give another instance to my hon. leader where two deputy heads are employed—I refer to the Civil Service Commissioners, Mr. La Rochelle and Mr. Short. It is still more important in the case of the Archives that the department should have at its head one whose particular attention should be devoted to the English end, and who should be Archivist with precedence. Dr. Doughty should have that. But another one, as was intended by the Liberal government, should hold a situation equal to that of Dr. Doughty in order to look after what constitutes the great bulk of our archives, that part of it which is more difficult of access and more difficult of understanding, because it is remote and goes down to the foundations of our country. Although trusting to the wisdom of my hon. leader—and no one trusts him more implicity—I say that on the face of this Bill there is apparently a dropping of one of those two gentlemen. Now, I would not have Dr. Roy appointed chief archivist; Dr. Doughty should have that title; but I would have Dr. Roy continued in the status given him by the other government. I have reason to ask for that. In Nova Scotia there was a commission appointed by the government at Halifax, and Dr. Atkins was appointed with the object of gathering documents and preparing a documentary book which would serve for historians. He did that, and what is the consequence? To-day we have proofs that a large number of documents favourable to the French Acadians, justifying them as it were, have disappeared—and it has been suggested by writers of authority that their disappearance was not accidental. What is the consequence to-day? Historians take the compilation of Dr. Atkins, and every time condemn the French Acadians in the matter of their deportation and justify those who deported them. If the French were guilty and deserved to be deported, let history say so; let the truth be told; but there should be no garbling of documents upon which the history and honour of a nation, or a people is based. Of course nothing of this sort can happen with such men as Dr. Doughty or Dr. Roy; but I am giving an instance which goes very far towards justifying me in the position I am taking here, and that has been taken before me, in having at the head of the Canadian Archives, for gathering material on which to base the history of this country, two men of the capacity of Dr. Doughty and Dr. Roy. I warn my hon. friend, that if Dr. Roy is dropped from this service it will be a loss to the historical lore of this country, and the historical

society, and all the historians of Canada will regret it.

Hon. Mr. LANDRY. I happen to know a little of Dr. Roy and the circumstances under which he was chosen to help Dr. Doughty in the performance of his duties. I know that at the time, Dr. Roy refused the position because it was not intended to put him on the same footing, and until that status was obtained from the government of the day he persisted in his refusal. The government granted what Dr. Roy wanted, and he came up here. He has performed his duties to the satisfaction of the country, and the government of the time, and I do not see why, in a service of so much importance as the Archives, he should lose his status by any improvement which is made in the department. I hail with pleasure the fact that Dr. Doughty is made a deputy minister; but the government should, in all fairness, find a way to do justice in the case of Dr. Roy, and if they cannot put him on the same footing as they have put the other librarians in this country, they should at least give him a status, whatsoever it may be, and a salary equal to the status they are now giving to Dr. Doughty.

Hon. Mr. DAVID—I hope the government will take into serious consideration the remarks which have been made by the two hon. senators who have just spoken.

Hon. Mr. TESSIER. I did not expect to speak at all in this debate, but I wish to emphasize the remarks that have been made by the Hon. Mr. Poirier and His Honour the Speaker of the Senate as to the merits of Dr. Roy. His appointment by the late government to the important position which he has occupied with so much honour was not a political appointment. Dr. Roy had been an adversary of the late government, had always been a good Conservative, but he was chosen by them on account of his special merits and of his capacity. He is well known as being probably the greatest authority on Canadian history that there is in Canada. I am very happy to join my humble voice with the hon. members who have spoken to say that I hope Dr. Roy will be treated with generosity and justice.

Hon. Mr. DERBYSHIRE—If he is a Tory I guarantee he will.

Hon. Mr. LOUGHEED—I shall direct the attention of the Prime Minister to the very flattering references that have been made to Dr. Roy.

Hon. Mr. POIRIER—With the hon. gentleman's permission, I will state that as in the case in England, in France, in Germany, and in other European countries there is an excellent opportunity to give these distinct titles, not conflicting in the least, one being as in England, in control of the historical manuscripts and the other of the departmental records. If we are to have a new Bill, it is important that we should have it so framed as to improve the efficiency of the service. The documents that go towards making history are of two kinds—the departmental documents, and the really historical documents. One of these gentlemen could have one title, and the other another, with an apportionment of work by which there would be no conflict of jurisdiction. I think that is the division that obtains now.

The clause was agreed to.

On clause 4,

The Governor in Council may appoint such other officers and clerks as are required for the proper care, custody and control of the public archives, all of whom shall hold office during pleasure.

Hon. Mr. LOUGHEED—I wish to amend that by adding the following as a subsection:

'The provisions of the Civil Service Act shall apply to the Dominion Archivist and all officers and clerks appointed under this Act.'

Hon. Mr. LANDRY—Would not the Civil Service Act apply as a matter of course?

Hon. Sir MACKENZIE BOWELL—It is doubtful.

The clause as amended was agreed to.

On clause 8,

The Dominion Archivist, under the direction of the minister, may acquire for the public archives all such original records, documents and other material as he deems

necessary or desirable to secure therefor, or he may acquire copies threeof, and all such originals or copies so acquired shall form part of the public archives, and he may pay for the same, or for the transcribing, binding and repairing thereof, or any other expense incurred in connection therewith, out of such moneys as are voted by parliament for the purposes of the public archives.

Hon. Mr. POIRIER—I desire to ask what has become of a certain order in council, dated April 17, 1908, which appointed a commission to act with the Dominion Archivist in collecting documents? The members of the commission were foremost historians from Ontario and Quebec. Dr Roy was among them. The commission found favour with the public and the newspapers on both sides. I will read to the House from a report of the Committee of the Privy Council. The memorandum is dated April 8, 1907, and is as follows:

1. That there shall be established an Historial Manuscripts Commission for Canada, which shall act to the Minister of Agriculture in an advisory capacity.

2. That the members of the said commission shall be historical scholars of recognized attainments, whom the minister may deem it advisable to invite to take part in the task of shaping and of executing a systematic plan for the prosecution of all those activities that are carried on under the auspices of the Archives Branch.

3. That the main function of the said commission shall be to co-operate with the Dominion Archivist in collecting, arranging and rendering accessible, those original sources from which alone an adequate knowledge of Canadian history can be gained.

4. That in addition to such other duties as from time to time may be assigned to the commission by your Excellency in Council, it shall:—

(a) Take steps to examine, and revise, if necessary, the translation in the official reports of the Archives Branch, already published, and to consider what means should be adopted to supplement and improve the existing calendars, with a view of making them a complete index of the documents relating to the period which they cover;

(b) Consider what clauses of documents should be copied or published by the Archives Branch, and report regarding the order to be followed in the quest for materials:

(c) Consider the question of publishing under the care of competent editors, such historical materials as, in the interest of historical science and the development of a national spirit, should be committed to print:

(d) Seek to ascertain the nature and extent of the materials for local history that still exist in different parts of the Dominion, and report on any steps that can be taken to preserve these from destruction.

5. That it shall be a further duty of the said commission to consider in detail, the question of the expenditure of such sums as may be appropriated by parliament for carrying on the work of the Archives Branch, and to make their recommendation accordingly to the minister.

6. That the chairman of the said commission shall be the Minister of Agriculture, or in his absence, the Deputy Minster.

That meetings shall be held at the call of the chairman.

That the members of the commission shall be invited to serve without remuneration, their expenses in attending such meetings, however, shall be paid by the government.

That the Dominion Archivist shall be, ex-officio, a member of the commission.

That the members of the commission shall not exceed nine, including the chairman and the Dominion Archivist.

I see nothing of the commission in this Bill. That commission is a very important and useful one in obtaining material for making history. To my knowledge they have performed very useful advisory and other work. Why has it been dropped?

Hon. Mr. LOUGHEED—This Bill in no way disturbs any organization, if there be an organization such as my hon. friend refers to. The intention is to bring out of the confusion which exists at present in the Archives, some system of organization. The idea is to assemble the Archives under one central control or administration. At the present time, the Archives of Canada are distributed over the whole Dominion. There is no organization, no method, no system; everything is confusion, and, so far as the existence of this commission is concerned, the order in council does not necessarily fall by reason of the passage of this Bill.

Hon. Mr. POIRIER—But, in order to better attain the very desirable object the hon. leader mentions, I should like to see a clause empowering the Dominion government to come to some arrangement with the provincial governments, so as to restore, as the case may be, to the provincial governments, materials or documents which we hold, of interest to them more particularly, and, in exchange for that, they might give us other documents which are in their possession, and which should be under the control of the Dominion Archivist.

The clause was agreed to.

Hon. Mr. BAIRD, from the Committee, reported the Bill with an amendment, which was concurred in.

SECOND READINGS.

Bill (I) An Act respecting the Trust and Loan Company of Canada.—Hon. Sir Richard Scott.

Bill (J) An Act respecting the Methodist Church.—Hon. Sir Mackenzie Bowell.

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

THE SENATE.

WEDNESDAY, February 7, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILL INTRODUCED.

Bill (M) An Act respecting certain Patents of the Continental Can Company.—Hon. Mr. Bell.

SHIPMENTS OF GRAIN TO THE UNITED STATES.

Rt. Hon. Sir RICHARD CARTWRIGHT—Before the orders of the day are called, I desire to call the attention of my hon. friends opposite to a despatch, which I believe is confirmed by a statement made in the House of Commons last night, and which is to this effect.

> Washington, Feb. 5.—Under special permission by the Interstate Commerce Commission, the Canadian Pacific and the Canadian Northern railways have put into effect rates on wheat and oats from Canadian points to Duluth and Minneapolis. The rates were made effective on short notice in order to move about 25,000,000 bushels of tough or damp wheat, which must be shipped during cold weather, or be absolutely wasted.
>
> The commission at first declined to establish the rates on less than statutory notice—thirty days—but on representations that Canadian farmers would suffer severely if the permission were not granted, the commission acceded to the request. The understanding is that the wheat or its products will be exported from Duluth and Minneapolis, being shipped from Canada in bond.
>
> The commission has not been called upon to determine whether the Canadian roads may require United States railway cars for transporting the wheat. This probably will be left to the Canadian Railroad Commission.

With respect to that statement, I believe that those representations were made either directly or indirectly at the instance of the government of Canada. I entirely approve of their having acted in this matter; but I must also say that this is a most marvellous commentary on the wisdom of the action of certain sections of Canada in refusing to hold any intercourse with the United States when their markets were open to them. I must further point out to hon. gentlemen, and I hope they will bear it in mind, that any men who may suppose that reciprocity is a dead issue will very shortly find, so far as the Northwest at any rate is concerned, that reciprocity between the United States and Canada, or at any rate much freer interchange of products between those two countries, will be a dead issue when Canada is an island in the middle of the Atlantic or Pacific, and not before.

Hon. Mr. LOUGHEED—I am delighted that my right hon. friend derives a measure of comfort from the newspaper despatch that he has read, and of which he has spoken. The conditions are not at all of an economic character that have brought about the shipment of grain to Duluth. I might point out to my right hon. friend that there has been a large congestion of grain in the Northwest for a couple of months past, that could not possibly be relieved owing to the limited capacity of the elevators at Port Arthur. The terminal elevators there have been filled. In addition to that, the rolling stock of the various companies operating in Canada has been crowded to capacity, I might say; but owing to the very rigorous winter which has prevailed in the Northwest, particularly during the last month—the reading of the thermometer being, I suppose, continuously lower than it has been for many, many years—it was utterly impossible to move that grain by our own lines. There was a very large measure of elevator capacity at the terminals in Duluth, which would have permitted, and are to-day permitting, a great deal of our grain to be shipped in bond via Duluth. Owing to the large number of empty cars belonging to American railway companies in Winnipeg, or at least coming from the west routed east, it was thought desirable to take advantage of that situation. Such was done; and it was done as much at the instance of the railways as at the instance of the government of Canada.

The conditions were peculiarly physical and not economic, as my hon. friend seems to think.

Hon. Mr. DANDURAND—I draw the attention of my hon. friend to the fact that although there was a larger acreage under cultivation this year, the production was not as large as it might have been. I wonder what would have been the condition of Canada if that production had been a little higher in proportion than it has been? We now hear of this grain blockade. I invite my hon. friend to consider this situation when we meet again next year. He will find that the blockade will have become far more acute and dangerous than it is to-day, and I am quite sure that it will take all the wisdom of my hon. friend and his colleagues to devise means for the prompt transportation of the crop of next year, without speaking of the years to come; and then he will be here, as he is just now, declaring that it is in the interests of the northwest that a good proportion of this crop should go from north to south, without imperilling the flag or the loyalty of Canada.

Hon. Mr. LOUGHEED—My hon. friend labours under a misconception. In the first place, while the crop this year is no larger than it was last year, yet owing to the increased capacity of the Canadian railways, they have carried about 50 per cent more to the head of the lakes within the same given time than they did last year. Is it not very much better for Canadian ports if there be a blockade or congestion of grain, as there is, within our own territory, to ship that grain in bond and thus forward it to Canadian ports rather than have it shipped to Minneapolis and milled there or used for the purpose of improving our neighbour's flour at our expense?

Hon. Mr. WATSON—The fact of shipping this grain to the United States in bond is not the serious question that meets the grain men of the Northwest. The fact is that a lot of this grain is not fit for export. It is not a loss caused by being unable to ship it out of the country, but a loss that is due to being unable to find a market for it. The duty on wheat going to the United States is 25 cents a bushel. Millions of bushels will be lost which would have been valuable for milling purposes if the United States market had been open; but our friends turned down the offer of reciprocity. Had that agreement been ratified, ninety per cent of the damaged wheat would have been milled in Minneapolis. It could have been sent there in good condition if it could have been forwarded at the right season of the year. We are told by the Minister of Trade and Commerce that by the end of this month they expect to be able to get reduced rates on grain for export.

A great many of our people are selling not wheat, but barley in the United States, and realizing ten to twenty cents a bushel more for it at Duluth, after paying twenty cents per bushel duty, than they could get for it in Canada. Gentlemen who read the market reports in the press will see instances cited of where barley has been sent in carload lots to the United States market, and the shippers have been able, after paying $150 duty on the carload, to realize a larger profit than if they had sold it in Canada. It is a serious loss to the Northwest that we are shut out of the United States market. It is not only the fact that the railroads have found themselves unable to move the crop this year that is the difficulty. As has been stated, if the crop had turned out as well this year as it did last year, the conjestion would have been very much worse. The railway companies made a vigorous opposition to reciprocity with the United States, but they find that they can not handle the crop of this year. The elevators at Port Arthur cannot take care of it, and they have to seek an opening at Duluth. It is a strange commentary on the condition of affairs existing to-day, in view of the campaign that was put up three or four months ago against reciprocity.

Hon. Sir MACKENZIE BOWELL—What is paid for barley in the United States?

Hon. Mr. WATSON—The market price in the United States for No. 3 barley is about $1.10 in Minneapolis. The price has been paid to the men who have actually conducted transactions.

Hon. Mr. BEIQUE—What is the price on the Canadian side?

Hon. Mr. WATSON—Where I come from, Portage la Prairie, people have realized 65 cents shipping it to Duluth, when they could realize only 45 cents in Canada.

Hon. Mr. COFFEY—The hon. gentleman must be mistaken.

Hon. Mr. WATSON—I am not mistaken. I would like to know whether it was at the instance of the government or of the railway companies that these railways are giving the same rates to Duluth as to Fort William? I was under the impression that it was the railway companies, when they found themselves unable to handle the crop or find storage for it at Fort William. Our railway companies, while they talk loyalty, have their connections with the United States railways by lines running north and south. The Canadian Pacific railway has such a connection at Moosejaw. The Canadian Northern railway has connections with Duluth, and these companies will divert traffic to the United States when it suits their convenience. As far as the west is concerned, so long as we get better prices by sending our grain to the United States than by shipping it over our own lines to the eastern ports of Canada, that is the way we will send it. There is no sentiment in trade, and if the United States market could take a large portion of our wheat that will be useless if it is held for two or three months, it would be better for Canada. Millions of bushels of grain in the west will be useless, because it has been exposed to the wet weather in the fall and frozen in the winter.

If you could get it into a mill and separate and grind it at once it would make just as good flour as the No. 1 Northern; but as soon as the warm weather comes on and the ice melts, the wheat will be useless. When one makes an estimate of the loss to the Northwest of $30,000,000, this year, through not having the American market for an outlet, I think he is below the mark.

Hon. Mr. BELCOURT. For what length of time has this arrangement been made? How long is the reduction of rates to last?

Hon. Sir MACKENZIE BOWELL—I do not know. I am not in the government. I must confess I did not anticipate we were to have a re-hash of the speeches made during the last campaign, nor do I propose to enter into a discussion of it at the present moment; but I am at a loss to understand what concessions have been made of so much advantage at present to the farmer if the grain is simply to be sent to Canadian ports via Duluth in bond? That system of bonding grain through the United States and even to Minneapolis, to be used in the mills there, has existed for years. I have not yet learned what has been done to be of such great advantage to the west, nor do I understand the concessions which have been made.

Hon. Mr. WATSON—Concessions have been made in the reduction of freight rates; in one case ten cents, and in the other seventeen.

Hon. Sir MACKENZIE BOWELL—What has that to do with reciprocity? I can understand—and so can any one else who has had experience in these matters—that the depreciation in the value of grain in the Northwest arising from the climate, the wet and difficulties in harvesting, will be very great, and the farmers should have some means to prevent it if possible. If the railways have made a reduction in freight rates, that has nothing to do with reciprocity, on which subject my hon. friend has made such a glowing speech, endeavouring to show its advantages. If the railway companies have reduced the rate of freight so that this injured grain can be moved during the inclement season, while it remains frozen and does not get heated sufficiently to make it germinate, they have done so in order to increase their income from freights, and in order to provide facilities which neither the Grand Trunk Pacific, the Canadian Northern railway nor the Canadian Pacific railway could provide. That is the difficulty that has arisen, and no other. The question of trade has nothing whatever to do with it. The bonding of grain via Duluth has existed for years and years. We all know also that wheat has been bonded to Minneapolis, ground into flour, and the flour shipped in bond, and the millers had all the advantages of the bi-product arising

therefrom. Whether the present arrangement is due to the intercession of the government or anybody else, the effect has been to increase the income of the railways, and provide these extra facilities, which our own railways could not furnish, in order to enable the western people to get their grain out of the country. It is a pleasing reflection to myself and those who so strongly advocated the construction of the Canadian Pacific railway and the opening up of the prairie country, to know that the products of the great west have already become so enormous as to demand further means by which to carry them to market. I think my right hon. friend who has spoken so learnedly, shall I say, or so earnestly on the question of reciprocity, was in the House at the time when his own friends and the party with whom he was connected declared that the road would never earn enough to pay for the grease to lubricate the wheels. I have a distinct recollection of how Sir Charles Tupper was ridiculed by every member of the then opposition for daring to predict a product of 50,000,000 bushels of wheat a year from that country. Yet we have these same gentlemen claiming all the credit for our present success, and denouncing the government for having done something that will prove to be to the advantage of the people of the Northwest, as well as to the railways. The difficulty arose from the inclemency of the weather, and the impossibility of getting the grain under shelter in the fall, and the further difficulty of getting sufficient cars to carry it out of the country. The question of reciprocity does not bear on the matter, nor would reciprocity, had it been adopted, provide that which the hon. gentleman contends should have been provided.

I should have been quite prepared to enter into a discussion of the question of reciprocity, even with my astute and more talented right hon. friend who is leading the opposition at the present day, and who, I say in all sincerity, could deal with it better, and I think more forcibly than any of the hon. gentlemen who attempt to discuss it. I have nothing to say about the flag, to which my hon. friend referred. Without being disrespectful to the hon. gentleman his argument about 'the flag' is the veriest clap-trap in the world.

Hon. Sir MACKENZIE BOWELL.

Hon. Mr. DANDURAND—We heard very much of the flag during the last election.

Hon. Sir MACKENZIE BOWELL—Whenever my hon. friend desires to discuss the question, let us prepare for it, and we will have a good fight over it.

Rt. Hon. Sir RICHARD CARTWRIGHT—The hon. leader of the Senate has not as yet given us any of the information I asked for. I inquired whether the government had requested the Interstate Commission directly or indirectly to ask the railways for this reduction?

Hon. Mr. LOUGHEED—I understand my right hon. friend asks if the government made the application?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes.

Hon. Mr. LOUGHEED—I may not speak with the greatest accuracy upon the point, as it occurred some little time ago; but my recollection is that attention was directed to the large congestion of wheat in the Northwest at the time, and of the facilities which were obtainable at Duluth for storing wheat, also that the rolling stock of the United States roads could be readily secured to move that grain. As I understand, the application was made to the United States Railway Board. I think the question had to be dealt with by the Railway Board. Thirty days' notice had to be given of that. The Canadian railways had the notice shortened—in fact dispensed with—so that the grain could be moved without further delay.

Hon. Mr. CLORAN—Had they constitutional power to do that?

Rt. Hon. Sir RICHARD CARTWRIGHT—Did the government ask for it?

Hon. Mr. LOUGHEED—No, the railways.

Rt. Hon. Sir RICHARD CARTWRIGHT—The government, as I have been informed, backed the request of the railways, and I entirely approve of their action.

Hon. Mr. LOUGHEED—The government intervened in the first place, but did not ask. The railways in the meantime came in and asked that the thirty days' notice

be dispensed with, and upon an application being made to the board by the Canadian railways the notice was dispensed with, so that the wheat could be shipped without further delay.

Rt. Hon. Sir RICHARD CARTWRIGHT—The government asked first, and the railways second?

Hon. Mr. LOUGHEED—They co-operated.

Hon. Mr. BELCOURT—For what length of time is the arrangement to last?

Hon. Mr. LOUGHEED.—I could not answer my hon. friend upon that subject. I fancy it is to last sufficiently long to enable them to make use of the facilities which could be had at Duluth for the transportation of the wheat.

Hon. Mr. BELCOURT—As the matter is one of very considerable importance, perhaps my hon. friend would be in a position to answer the question to-morrow?

Hon. Mr. LOUGHEED—It is simply a temporary suspension of whatever regulations they have for that purpose.

The SPEAKER—There is nothing before the Chair.

Hon. Mr. DAVIS—I move the adjournment of the debate in order to give me an opportunity to speak. Several hon. members have spoken, and I do not think any hon. senator who is interested in this matter should be shut off.

The SPEAKER—If the hon. gentleman desires to make a motion, let him do so in the usual way, with a seconder.

Hon. Mr. CLORAN—I second the motion.

Hon. Mr. DAVIS—The hon. gentleman from Belleville was leading us off into byways and highways in reference to what had been done in years gone by in building the Canadian Pacific railway, and something that was said by some Liberals at that time, about thirty years ago, in reference to grease that would be required to put on the axles of the Canadian Pacific railway. We are not now interested in what was said thirty-two years ago, any more than we are in what was going on in Noah's ark. What we are now interested in is the question that has been brought forward by the right hon. leader of the opposition with reference to the transporting of grain across the line. I think the government is to be commended for their action, and we all agree in that; but it is very strange after reading what appeared in the papers, and hearing the speeches of gentlemen who now occupy the treasury benches in the House, that they should do such a thing. I remember reading a speech of the present Minister of Trade and Commerce, under whose department this present proposition comes, with reference to these very same railways running into Canada from the south. He alluded to them as American serpents that were wiggling in, and that were going to suck the blood out of the people of this country. It is strange to see these very gentlemen now introducing the same serpents to suck out the blood of our people. It must be taken into consideration the fact that the three great railway companies in this country have fallen down this year and have failed to move the crop. It may be said that they moved more grain than they did last year, but that is not the point. The point is that in this year of grace they have not been able to move the crop out of the western country, and farmers are therefore losing millions and millions of dollars. They came for a measure of relief to the government, and the government, I understand, took the very disloyal course of asking the United States to take part in relieving the situation. I understand it was necessary to get their consent to the new arrangement.

Hon. Mr. LOUGHEED—Oh, no; my hon. friend misapprehends. Before the Canadian railways could give a rate to carry this wheat to Duluth—and it was proposed that the wheat should be carried at the same rate from Winnipeg to Duluth as from Winnipeg to Fort William and Port Arthur—it became necessary to make an application to the Railway Commission or Railway Board of the United States for a reduction of the rates, the rates from Winnipeg to Duluth being very much higher than from Winnipeg to Port Arthur and Fort William. Consequently, thirty days' notice had to be given by the railways who desired a reduc-

tion of those rates. That thirty days' notice was dispensed with; the Railway Commission of the United States permitted the reduced rate to be adopted, and consequently the wheat began moving.

Hon. Mr. DAVIS—I quite understand that, and I admit that the government did what was right all along the line; but I am pointing to the fact that this does not harmonize with the statements that they made previous to the general election. If any person had in the month of September made a proposition of that kind—trotting to Washington to ask the Interstate Commerce Commission to do something for us—we would have heard a roar from one end of the Dominion to the other. There would have been flag waving all over the country; but now that the present government have got into the treasury benches by flag waving they are practically carrying out—and I am glad to see they are doing it—what would have been carried out by the late government. But if the three railways have fallen down in the matter of moving the crop this year, what can we expect them to do next year? Will not the same thing happen next year? We were told that the Americans were going to build railways that would tap all the Canadian lines now running from east to west. The very loyal people who wanted to protect our institutions last fall were induced to vote to protect our railway interests also, among other things. The west is increasing production by leaps and bounds, the people there having introduced a new system of farming, ploughing by gasoline or steam engine. That being the case, what is going to become of the crop next year? We should surely look ahead. I am very sorry to say that the wheat this year is damp, and it is a very good thing to get it into American elevators where it can be dried out and preserved at the same time; but if we could have had what we were asking for last fall in the west, namely reciprocity, we could have marketed all that grain, because we could have sent it across the line and got from ten to fifteen cents a bushel more. We have no market for barley at the present time. If we had a market we would not have so much frosty wheat on hand. If we could grow barley, oats and flax on the new land for the first two or three years, we would be able to grow wheat more successfully, and the country would not be getting a black eye with this frozen wheat that we hear so much about at present. But we are not allowed to do that, for we practically have a wall built around this country, and we cannot get a profitable market anywhere inside that wall for our barley. The people of Canada know that they are not able to consume all the stuff that will be produced on those prairies within the next few years. What are we going to do with it? We could get a market in the United States for all the barley we could produce; we would grow oats, and so all along the line if we were allowed a market; but we have not been allowed the market. We had such a wet season last fall that there has been hardly any fall ploughing done in the western provinces, and the only grain that farmers will be able to grow this year will be oats or flax. For this class of produce they have no market; they cannot go up against a duty of 25 to 30 cents a bushel on barley, no matter if the railways go back on their statements and reduce the freight rates. That duty prevents us from marketing barley and oats, and next year, I am afraid, we will have a great deal of those grains grown, though I hope not. We are liable, however, to have the same condition next year as we have this year in regard to transporation, and the railways, having fallen down and being unable to move the crop, should not play the dog in the manger. If they are not able to move it themselves, they should permit the American railways to do so. Some people have said that reciprocity is dead; but I contend that reciprocity is a very live issue to-day from the Atlantic to the Pacific. The people did not understand it, and the waving of the flag and the Ne Temere decree and other things confused them; but when we come next to the firing line we hope the Ne Temere will be put back where it belongs, and that the waving of the flag will have ceased, and that Mr. Hawkes, who appealed to the British-born, will stay in a nice little fat job he got for writing all he did about the British-born, and we will have a fair, square appeal in favour of what is going to build

up this country, and that is the reciprocity pact.

Hon. Mr. CLORAN—I regret that this debate was not held in some of the large centres of Ontario—it was not necessary in the west—during the last election campaign. As one speaker said, they have more sense in the west than the people of Ontario who allow their political consciences to be clouded by Ne Temere decrees and Eucharistic congresses. The debate here is very enlightening and very encouraging for the future. The government evidently is obliged to follow in the footsteps of its predecessor to a certain extent. The hon. member from Belleville (Hon. Sir Mackenzie Bowell) upbraided the hon. gentleman from Portage la Prairie (Hon. Mr. Watson) and one or two other members for re-hashing speeches delivered during the election last fall. I thought myself the rehash was excellent. It had quite a flavour, it was fresh and good for consumption, but when I heard the hon. gentleman who was Prime Minister of this country at one time, and Minister of Customs thirty-five years ago, rehashing the axle grease, and sea of mountains and so on, I thought his hash was stale, and not fit for a parliamentary table. As the hon. gentleman from Prince Albert (Hon. Mr. Davis) said, he did not want to hear any Noah's ark history; he wanted something fresh. He was right. The censure passed on the remarks of the hon. gentleman from Portage la Prairie was not justified in the face of the hon. gentleman's (Hon. Sir Mackenzie Bowell's) own re-hash of events that occurred over a third of a century ago. I am puzzled by one or two things which happened in this debate. The hon. gentleman from Ottawa put a very plain question to the government. He asked how long this arrangement made between the gentlemen at Washington, the Canadian railway companies and the Canadian government would last? The answer of the government was that it was a temporary arrangement. Does the hon. gentleman take the hon. member from Ottawa to be a child? What does he mean by temporary? Why does he not say three or four months? Temporary may be one week or one year. That is not a dignified answer to give to a member of this House. Other questions were answered in the same irrelevant, uncertain manner by the government. Has the government no definite policy with regard to these matters? Its policy last September was very definite when he told the Canadian people that it was a shame and a disgrace to sell the soul of Canada and go to Washington to look for favours. But this government did not even take the course of going to Washington; they went simply to a commission to seek for favours. Does the government expect to gain credit in the eyes of the country by doing such things? Is not their action today a justification of the attitude taken by the Liberal government in the past? Not that I denounce them for it; on the contrary I believe they are doing well in the course they are pursuing now; but I find fault with them because they were not sincere when they denounced the Liberals in September last. They deceived the people, not so much by the waving of the flag as the waving of a papal flag in the eyes of the people of Ontario, and in a few counties in New Brunswick and Nova Scotia. They waved that flag under the guise of the Ne Temere decree and the Eucharistic congress, and on these grounds the great Conservative party won the election in September last. I heard the leader of the government in this House make lamentation over the fact that there were not sufficient transportation facilities in the country to carry out the grain of the west. One of the most prominent members of the government today is opposed to an essential route between the west and the east, the Georgian Bay canal. We have now official opponents to that great project in this government and in the Conservative provincial government, and still the hon. gentleman laments the fact that our transportation facilities are inadequate. There are men in his own cabinet who are openly opposed to the construction of a great national work which is admitted by all who are not sectionally interested to be essential to the welfare of Canada, and particularly to the welfare of the west. I only hope the people will open their eyes before the next election and realize what they are losing by putting such men at the head of affairs, and turning down Sir Wilfrid Laurier and

the Liberal party, who have done so much for Canada and the empire. How much will this government do for the empire? Not later than yesterday, a most pertinent question was put to the government with regard to the British preference, and what was the answer? It was a reply that was not fit to meet the intelligence of a child. Is that the way the present government is going to conduct the public business. Does it think it can hood-wink and blind people? These are matters that are publicly discussed. When members on this side of the House ask questions which call for direct answers, we are entitled to the information we seek, and the sooner the government knows it the better.

Hon. Mr. DOUGLAS—I have not so much to say in reference to what the government has done or not done; I think that the rebellious spirit shown in this debate is largely against the clerk of the weather. If you come down to the facts, it was the rainy season that contributed largely to the loss sustained in the Northwest. It is quite true that we had a banner season, and if it had continued after the grain was ripe we would not have had this loss. I have a feeling, right or wrong, that perhaps there is a good deal of exaggeration in the newspapers in regard to the loss the public have sustained. I am speaking for the province of Saskatchewan, the grain growing province par-excellence. So far as I am personally concerned, I never had a better or more fruitful season. We were able to harvest the crop in proper time, and put it on the market, and realized 96½ cents per bushel, and had the money in the bank before all this calamity befel the country. I suppose the same might be done almost any year. It depends a good deal upon the activity of the people, and a good deal on their having knowledge of the possibilities of that climate. Many poor people have entered the western country in the past two or three years to engage in cultivating the land. They had a beautiful crop just within their reach, but they were not able to avail themselves of the facilities for handling it, and having it threshed in the proper season. The great want this season has been lack of power to thresh the crop that was produced. For that the people are themselves largely to blame. They might have clubbed together and purchased threshing outfits and accomplished the work before the rainy season really set in. There is a considerable quantity of grain in our district still to be handled. When we had got through with our own work we sent our threshing outfit to help our neighbours, and continued to help them as long as the work would pay; but when the grain and straw got damp it was necessary to get more help than the business would pay for, ant we found that we had to haul in our outfit. So to help them out of their difficulty we sold out to our near neighbours, and they went on as long as the weather would permit. I think the fault is perhaps in Providence giving us a large amount of moisture at a time of the year when we have not been accustomed to receive it. That fact must be kept in view. Another great fault, to my mind, is the lack on the part of the railway systems of rolling stock. I have not much sympathy with the Canadian Pacific railway when it tells the country that it should not expect the railways to keep enough rolling stock to move the entire crop out in two or three months. They argue that we should have patience, that we should put up buildings and protect our own grain and give the railway companies time to move it as fast as they can. The three railway companies have failed in getting as much work done as they hoped to do. That is an old story. It is not a thing which has come on the railway companies because of the peculiarities of one season. They have been struggling with this difficulty as long as I know anything of that country, and I have been there thirty-two years. I know something of the asthmatic engines that would not work in December or January, and many that would break down half way to the market. I have in memory a statement made by the late Mr. Drinkwater, and I mention his name with all credit to him for his activity. He told us in all confidence in his office, shortly before he died, that all that they could expect of any one car in their rolling stock was three loads in the season, judging by the record of the past. They had the figures to make the statement good, that a car could only take from a point, say

Brandon, to the head of the lakes three loads of grain in the season. I said to him: 'Why do you not take off these engines and put on oxen? They can do better than that.' It is a known fact that there are men engaged in the freighting business at the town of Brandon who haul loads of dry goods and groceries, just such work as the Canadian Pacific railway ought to do, to the south by teams, and make money alongside the Canadian Pacific railway that does not do more than make its line pay. Their poverty hinders them from getting a larger number of cars and engines, such as should be on the road to serve the business of the country. No one can read the reports that have appeared in the 'Winnipeg Free Press' without feeling that the company has not exercised itself to meet the necessities of the occasion, and do what they should have done in December and January. The fault is largely climatic, to begin with. The inexperience of the new settlers and the inadequacy of the rolling stock possessed by the railway companies to do the work demanded of them is another cause. When they have been spending so much money in improving their roads, why have they not also increased their rolling stock to meet the requirements of the country? It was my opinion years ago that the Canadian Pacific railway would never move the crop if the output increased. In the next four or five years they would find themselves swamped by the amount of business required of them. That is the case now. Then there is the high price we have to pay for labour in harvest time. Farmers who are alive to their business are to-day seeking ways and means to reduce the cost of producing grain, so that there may be some margin left for themselves and their families. They cannot go on paying the rate of wages that they are now paying. It is very good of the people in the lower provinces and other eastern points, in our need, to send us help; but we find lads who never had a razor on their faces, and perhaps never turned a sheaf of grain with a fork demanding wages of $3 a day and the best of board, and we have therefore to think of new ways of cultivation that will reduce the cost and make it more profitable to continue farming.

Hon. Mr. THOMPSON—How would reciprocity have fitted in?

Hon. Mr. DOUGLAS—If we had reciprocity when the grain was cut, the wheat would not have been frozen. If we had had the rolling stock necessary to move the grain, there would be no cry from that land to-day, and no noise whatever about the millions of bushels of grain being lost.

Hon. Mr. MITCHELL—Did I understand the hon. gentleman to say that it was the bad weather which led the government to change their policy and divert the traffic to the south?

Hon. Mr. DOUGLAS—No, but that the lack of rolling stock, the increase of population and of production called for reciprocity. It would have come like a shower of blessings. I did not need reciprocity last year because I got through successfully. Next year I do not know how it will be; but I have determined, if my health is spared, to dispense with our heavy horses in the cultivation of the land and use oil fuel engines. We believe we can in that way plough and sow the land at the rate of twenty-five acres a day. Two men will do that and we will not need so many men from the eastern provinces. We will reduce our expenses.

Hon. Mr. THOMPSON—And our boys will not get $3 a day?

Hon. Mr. DOUGLAS—No. I am not going to reflect on what has been done in turning out the Liberal government; but I contend that if reciprocity had carried, there is no doubt the grain would have been all out of the country and there would not have been any extent of damaged wheat.

Hon. Sir MACKENZIE BOWELL—Is it not a fact that each of the railway companies exhausted the power of the different factories to supply them with rolling stock, and is it not also a fact that after many of the cars were loaded with grain, they were frozen to the rails and could not be moved for a long time? These are the difficulties that presented themselves in complying with the just requirements of the trade of that country. I have seen the statement made that all the railway companies doing

business in that section of the country exhausted the power of the different manufacturing establishments to turn out sufficient cars to carry the crop to market.

Hon. Mr. DOUGLAS—I feel satisfied that the railway companies are largely responsible for the condition of things we have there to-day. I rather think that this movement of going to Washington for help, as has been said, originated with the government of Saskatchewan. One of its ministers and some other officials, realizing the condition of things, and knowing that a large number of cars belonging to the United States roads could be utilized if arrangements could be made so to do, made it their business to interview the officials in the United States and ascertain the difficulties that lay in the way. They received nothing but kind treatment, and it was made plain to them that if they pursued a certain course and the rates were cut so as to make the rates from the west to Port Arthur and the rate from the west to Duluth equal, that such an arrangement could be made. From reading newspapers and hearing from the officials at Regina, my idea is that it originated there, that the negotiations were made with officials in Regina, in Saskatchewan, and that the provincial government, at the suggestion of the railway companies, carried through this arrangement and gave them this relief. Had the railway companies done their duty at the time, and we had adopted reciprocity, we would have needed no such negotiations.

Hon. Mr. BELL—It seems to me that we are throwing too heavy a burden on the railway companies. I saw a statement in the newspapers, which has not been contradicted, that the railway companies had over 54 per cent more cars up to February of this year than they had last year. They also point to the fact that on account of the coal strike they had to make extraordinary efforts to secure a supply of coal for themselves and for the people in the western territory; and furthermore, as is well known to every one, such extraordinary winter weather as we are experiencing at the present time, practically paralyses a railway company, reducing their efficiency 30 or 40 per cent.

If the coal strike had not occurred and the extraordinary severe weather they have experienced, the railways could have moved out much more crop than they have done, and really would have met pretty fully all the requirements of that country as to transportation. Is it not a fact, when we get to the bottom of it, that the condition that exists in the Northwest Territory is to a large extent created by the people themselves, that they are making wheat raising a speciality—mining wheat as is sometimes described—without any regard to the means by which they are going to market the grain? They are engaged in ploughing, breaking up thirty acres a day of virgin soil, doubling their crop, without making any calculation as to the means by which their product will be put on the market.

Hon. Mr. YOUNG—Should that be their business?

Hon. Mr. BELL—They are producing an enormous quantity of wheat, for which there can be no immediate prospect of an outlet.

Hon. Mr. CAMPBELL—They should be fined for growing so much wheat.

Hon. Mr. BELL—They are being fined, not by the government but by the inevitable logic of events. My hon. friend from Toronto (Mr. Campbell) knows that if he produces twice as much flour as he has a market for, he will be fined most effectually, because if he did not sell the flour he would suffer a loss.

Hon. Mr. CAMPBELL—There is plenty of market for the wheat, but you will not let them get to it.

Hon. Mr. BELL—If hon. gentleman opposite and their friends are disposed to nail the reciprocity flag to the mast, we wish them well, we are satisfied with the situation. If they are not satisfied after the result of the election on September 21, they have a perfect right to try it again, and no one here representing the government will object. But is it not absurd, in view of the facts which have been cited here to-day by honourable members

from the great west, to find their argument against or in favour of reciprocity on conditions that are particularly exceptional? This government has to be governed according to the circumstances of the normal, and not the exceptional year, and no government or opposition can afford to depart from what is a wise and safe policy for an individual, and frame a general policy upon exceptional circumstances.

Hon. Mr. YOUNG—Does the hon. gentleman consider this year's crop exceptional?

Hon. Mr. BELL—I think it is. It is surprisingly large. The amount of land that has been brought under cultivation is astonishingly large, and my hon. friend from Killarney (Hon. Mr. Young) must know that it is so in consequence of the new facilities at the disposal of the farmer. My hon. friend admits that the circumstances of this harvest are exceptional and extraordinary. The wet season prevented threshing, but that is not the fault of this government. If the railways are not equipped with sufficient facilities to handle the traffic, that is not the fault of the present government, but is the fault of the late government, inasmuch as they had not seen to it that these railways were properly equipped. It is impossible to throw the responsibility for existing conditions on the government of the day. The fact of the matter is that everything, in a sense, in the west, is being conducted on the policy of putting all the eggs into one basket. Every one is growing wheat. There is an enormous demand for wheat. The west is a country of specialists who are producing a special crop, and they are making a demand upon the railway to transport it, and lay the responsibility upon the government of the day for a service which no people could possibly demand in reason.

What reasonable man or community can demand that a great railway corporation shall supply engines, cars, trainmen and track facilities to carry the whole product of the Northwest to the markets of the world in three or four months? It is not a reasonable proposition. If it could be done it would do very little good to the farmers, because the world cannot consume that crop in three or four months; it requires a year to market and use up the crop of a year, and, as far as I can see, it is not to the advantage of the farmers that they should have their whole crop crowded on the market in three or four months. There are a great many things the farmers ought to do for themselves. I do not know that our friends on the other side of the House are giving wise counsel to the farmers of the Northwest when they tell them their calamities are not at all due to their own neglect and lack of prudence, but to lack on the part of railway companies or the government, or even to Providence in the way of a bad season. Would it not be well for the farmers of the west to learn now to act as farmers of the east have had to do—to calculate everything—to see that the crops are regulated both in volume and character, and that they themselves take proper precautions for securing and harvesting their crops?

Hon. Mr. THOMPSON—The market is too small; why don't you look for another one?

Hon. Mr. BELL—The market is growing remarkably fast, and I cannot see that it can be said to be small. It is the whole world. It is all open. The only market that my friend can refer to now is the market to the south of us.

Hon. Mr. THOMPSON—Sure.

Hon. Mr. BELL—Although that is a much larger market than ours it has more grain to send into it, therefore that is not the market to which we should turn at all.

Hon. Mr. THOMPSON—What market?

Hon. Mr. BELL—As far as we are concerned, the market we want is one that can supply us with the things that we do not produce and that will take from us the things that we produce and that they do not produce. We want a proper principle underlying a reciprocal arrangement or reciprocity. We do not want to go into a market where our greatest rival will beat us, and consider it a great concession to us. That would be a mistaken policy. We have to-day, the greatest market in the world for our wheat, and what we require, as far as I can see, is to learn how to measure and shape our policy in accordance

with our circumstances so as to adapt it to the conditions in which it has to be carried out. What would be the sense of this country multiplying its production of wheat, doubling it again if you please, with the large immigration, with the increased facilities in the Northwest? What would be the sense of producing four hundred million bushels of wheat if you knew you could not get out two hundred millions? Would it be a wise course to take? Is it compulsory? Is it practically necessary that the man who has those fertile acres must produce a large quantity of wheat, part of which he cannot market to advantage? Is it not a great deal better for him to preserve the fertility of his acres and adopt the plan which the Northwest will eventually have to adopt, of mixed farming, cultivating the crops for which they can find a market anywhere and everywhere? It is absolutely impossible for a man anywhere to prosper unless he acts prudently and wisely. It is absolutely impossible that any community can prosper if it is taught that its failure to succeed is not its own fault, but the fault of some outside bodies, whether government or railway corporations, or some other body acting in the capacity of our servant, or subsidiary to it. The conditions which make for success are the conditions under which an individual carries on his work. You cannot by any government policy whatever, or assistance to railway development, make up for the lack of individual qualities of prudence and foresight. There is a remedy for all these difficulties in connection with the wheat. What is to hinder each farmer at a very moderate expense from furnishing himself with granaries, or little store houses? Some of them have done it for years. Why should a man be in a position which may require him to pour out his wheat on the soil and expose it to the inclemency of the weather? He is not compelled to do it.

Hon. Mr. WILSON—He has not the lumber.

Hon. Mr. BELL—He does not need an expensive building of lumber because he can get corrugated iron. But if he does not choose to provide the facilities and take those precautions to keep himself where he ought to be, it is a poor and cheap subterfuge for hon. gentlemen to throw the blame on the railway corporations or the government, and to suggest the absolutely untried and the hopeless policy of reciprocity, which presented itself to the majority of the people of this country as a dangerous experiment. The failure to adopt the reciprocity pact is not the thing to which is to be attributed the present temporary and passing misfortune of the people of the west. The people of the west are not saying a great deal. Our hon. friend here has said, and I have no doubt at all that he is perfectly justified and warranted in saying it, that it will be found in this case, as in most other cases, that the predictions of loss to the farmers are being grossly magnified, and that probably in the next three or four months, with the advent of good weather and the activity of the Canadian Pacific railway, they will get all this surplus crop to the market in good condition and we shall hear no more about it; the dark clouds will disperse and our friends will retire again under the old reciprocity banner.

Hon. Mr. WATSON—In replying to the hon. gentleman, I would designate him as a small Canadian, and I would draw his attention to the inquiry that is now on the order paper as to why immigrants do not go to the eastern provinces. I do not wonder why they refuse to stay in the eastern provinces. I think this is the first occasion I have heard an hon. member say that the western provinces are producing too much wheat. I think the banks, the implement manufacturers, and other manufacturers would hold up both hands if there were more people in the west, for the opening up and settlement of the west is the making of Canada. There is no place in the Dominion where a man can produce as much wealth as out on the prairie by growing wheat. My friend ought to intercede with the government of the day and get the western farmers cheap lumber with which to build granaries, get them cheap nails, cheap iron—corrugated iron he suggests. The government, since they came into power only a few months ago, have succeeded in placing a duty of $2 a thous-

and feet on lumber to prevent the western farmer from building granaries to hold his wheat. The farmers of Saskatchewan, 90 per cent. I think, of them, the largest wheat producing community in Canada, voted for reciprocity, and voted that way regardless of party. Alberta voted the same way. They voted for a market, and they were so sure that reciprocity would carry that the grain buyers, shrewd business men, were paying ten cents to fifteen cents a bushel more for barley than the market price warranted because they expected to get it into the United States market free of duty after the election. So far they are being retarded by the action of our friends in eastern Canada. I ask my hon. friend where the market is to be found? He says, in some country that will furnish us something that we cannot ourself produce. Is there any market in the world that will not furnish us with what we ourselves produce? Reciprocity did not shut off the other markets, but it gave us free access to that other market for our products. We must have the United States market for our wheat; there is no other place to which we can ship it and find a market. My hon. friend suggested Liverpool. A great many people are under the impression that we can keep on growing wheat and market it in Liverpool. The British Isles are trying to reduce the population, and a great many people are spending money to assist that policy. Last year we shipped some forty-two million bushels of wheat to the British Isles, and my information is that we shall never again ship more than fifty million bushels there, for the reason that the miller in Britain buys wheat that suits his trade, and a great deal of the flour there is made from wheat, being used by people who do not know the strength of flour. The British Isles have a population of forty five million people who are not educated to eat hard wheat flour, whereas the United States has a population of nearly a hundred million—at least twice as large as the British Isles—of people who have been educated to eat hard wheat flour ever since the Minnesota mills started to grind hard wheat forty-five years ago; and man for man they are able to pay more for wheat than the people of the British Isles. The people of Ontario are being educated to eat hard wheat flour; Great Britain is not so educated; Americans are. We have to find an outlet for our hard wheat, and there is no question at all that that outlet has to be in the United States; there is no other country in the world to which we can ship our surplus wheat profitably except the United States, for their wheat area is decereasing, especially their area for producing hard wheat. Our wheat area is increasing, as has been stated, and it is quite possible that inside of five years the Northwest will have five hundred million bushels of wheat for export. My hon. friend will say that that is a calamity. I wonder what the bankers and manufacturers will say about it? They will say it is a good thing for Canada and for their business, for if it was not for the wheat production of the Northwest the money could not be spent with the manufacturers of eastern Canada that now makes them prosperous. We grow the wheat for them, and we are able to pay for the goods they produce. We should not listen to a small Canadian's remark that it is not wise to produce unless we are looking for a market. The people of the west are not in that position, because they did look for a market, and they will get it; and the wealth of Canada depends on the opening up of the great Northwest and the production of wheat —that staple article which we can produce better than any other country in the world. As an apologist for the railroads, my hon. friend is probably a success. He has told us all the good things they have done. But in referring to railways, this matter of congestion is not one of only recent date. Why, his leader, or recognized leader in the other House, (Mr. Borden) when the late government suggested building the Grand Trunk Pacific, divided the House on the policy of purchasing the portion of the Canadian Pacific railway north of Lake Superior, to give us one road less rather than one more, and make it a government road. That was his policy—to restrict the construction of railroads to carry our wheat east and west. Now, as has been stated by the hon. member for Prince Albert, the railway companies are up against a problem this year that they cannot solve, and they have to admit it. One reason,

which has not been referred to here, is the strike of the machinists of the Grand Trunk Pacific railway; locomotives are not in as good condition as they should be to handle the trains. These things are bound to occur; but are we to be told that we should stop wheat production in the west because something is going to happen to a railway? Surely not. I say we are to go on. I believe the immigration policy of the late government will be continued by the present government, and people will come to this country to produce wealth out of the soil. I know the Minister of the Interior, who has charge of the immigration policy, and who is a westerner, will not take any stock in the hon. gentleman's arguments that have been advanced this afternoon. We shall probably have a field day, as has been suggested by our hon. friend, to discuss this matter later on. Railway extension to the south is a matter that has been discussed in the west for a great many years, and when——

Hon. Sir MACKENZIE BOWELL—Before the hon. gentleman leaves that point, was it not Mr. Borden's policy to purchase the road north of Lake Superior and double the track all through?

Hon. Mr. WATSON—To what?

Hon. Sir MACKENZIE BOWELL—Double the track—make it a double track road.

Hon. Mr. WATSON—I hope not.

Hon. Sir MACKENZIE BOWELL—I did not ask the hon. gentleman what his opinion was; I asked if that was not Mr. Borden's position?

Hon. Mr. WATSON—I don't think so. I don't think it was discussed at all. I think it was to buy the road.

Hon. Sir MACKENZIE BOWELL—Then permit me to say the hon. gentleman only knows half of it.

Hon. Mr. WATSON—I don't pretend to say all. I am not in the confidence of Mr. Borden, and I do not know what was discussed behind closed doors.

Hon. Sir MACKENZIE BOWELL—No, that was his proposition before parliament.

Hon. Mr. WATSON—Then I say it was a most foolish proposition—an all-rail policy and doubling the tracks, including curves. My hon. friend went back to ancient history and talked about what was said thirty-five years ago by some Liberals, that the Canadian Pacific railway would not earn the grease required for their wheels. The hon. gentleman, the present member for Hastings (Hon. Sir Mackenzie Bowell) was in the government at the time, and did everything in his power to retard the progress of the Northwest by not allowing Manitoba to have free access to the United States by means of branch railways. The government gave a monopoly to the Canadian Pacific railway, so that no line of railway could be built to the United States, and they maintained that policy until practically the people of Manitoba went into rebellion, or talked annexation to the United States; then his government came down and gave the Canadian Pacific railway fifteen millions of a guarantee for the purpose of doing away with that monopoly and allowing a free interchange of railways being built between Canada and the United States. Those railways are being used to-day, and the government, notwithstanding their protest and talk about the American flag, what have they done? They have gone to the Canadian Pacific railway and Canadian Northern railway, and on their knees to the United States, and asked them for God's sake to come and help us.

Hon. Sir MACKENZIE BOWELL—No, no!

Hon. Mr. WATSON—We cannot handle the wheat in Fort William; we cannot handle it all-rail to those Lake Superior points, and for God's sake give us relief; and this was only two or three months after they were denouncing any trade with the United States at all. I don't think my hon. friend the leader of the House is well informed on the reasons why delay occurred in securing the reductions. The rate on the Canadian Northern railway——

Hon. Mr. LOUGHEED—There was no delay in securing the reductions.

Hon. Mr. WATSON—My hon. friend is not well posted even now, because the Min-

ister of Trade and Commerce stated last night in the House of Commons there was delay.

Hon. Mr. LOUGHEED—There was a delay of a few days, but I mean the thirty days.

Hon. Mr. WATSON—No, but at the present time there is a higher rate on some other grains than there is on wheat. The reduction of the rate was brought about first by Mr. Motherwell going to Winnipeg to interview the railway people, and ask them if they would not give the same rates, because there was no storage at Fort William, and no way of treating this grain. There is one elevator at Port Arthur, and a small one at Fort William with facilities for drying this wheat. They have facilities at Duluth, and Mr. Motherwell, the Minister of Agriculture in Saskatchewan, busied himself to see if there were not facilities elsewhere, knowing the quantities of damaged grain; and the railways agreed to give the same rate to Duluth that they give to Port Arthur and Fort William—the Canadian Pacific railway and the Canadian Northern—but when they found the rate was less than was charged to the Dakota farmer, the Interstate Commerce Commission could not grant the rate to carry that wheat from the boundary line to Duluth, hence, under the United States law, they had to give 30 days notice before they could even make the change, and that was the reason of the delay. I think I am perfectly accurate in making that statement; I know it has been made public through firms that I think are reliable, and it was on account of the rate of 13 cents given to Duluth from a point, say Brandon—which was a lower rate than the Dakota farmer was charged for a similar distance through Dakota to Duluth, consequently the railway companies had not power to deal with it, and our friends of the government had to go on their knees to Washington and pray for relief. I trust the government will take stock of the conditions we have this year, because we cannot take chances of a recurrence of these losses. The climatic conditions have something to do with it no doubt, but they may have those climatic conditions again. Those climatic conditions will recur; certainly the crop will increase; and if we have a loss this year of twenty or thirty millions on a crop of two hundred million bushels, what will we have on a crop of five hundred million bushels? The people of Canada have to wake up and give us facilities—cheaper lumber—cheaper iron, cheaper transportation, and the right market, and that right market ought to be wherever we can find it. I have knowledge of the points on which I speak. There are millions of bushels of wheat in the Northwest to-day that will not realize a cent because they cannot be handled at all, all through the winter weather; whereas if we had had a free market in the United States for that wheat our farmers would have realized 85 or 90 cents a bushel for it. These are the conditions, and they will have to be faced by this government, even though they are a short time in power. There is no doubt at all that the United States market has to be the market for Canadian wheat, and the sooner it is secured the better. I am pleased that the right hon. gentleman referred to the matter this afternoon. It has led to a discussion that ought to do good; things have been said here to-day that ought to give some information as to the condition of the affairs in the west, and I hope that the government will take cognizance of the statements that have been made. If our farmers could have shipped their barley under reciprocity they would have realized about $350 a car more for it. Surely it is a good thing for the farmer and for the manufacturers of eastern Canada; and when the time rolls around and hon. gentlemen give a record of their stewardship, I trust we will find that all the good things that were offered by the Liberal party will be offered to the northwest by the Conservative party.

Hon. Mr. DE VEBER—Whilst we in the west fully appreciate the small grain of comfort thrown at us in the way of lowering the railway rates to enable us to get rid of some of our surplus grain through the United States, how much more would we appreciate it if the government could see their way to go so far as to enter into an agreement with the United States to remove the duty on wheat entirely, and allow our grain to be consumed in the United

States—not ground in bond for export? In the west to-day we have a great many million bushels of damaged wheat that will be graded as feed grain, for which there is no demand in the west, but a very large demand in the United States. On my way home at the adjournment, in passing Fort William, a number of grain men entered the car, and we got into conversation as to how this damaged grain was to be got rid of in Manitoba—being Manitoba men they spoke exclusively of that province. They were not grain raisers, but grain dealers. In the party was a very large grain buyer from the United States, and after considerable discussion as to frozen wheat this gentleman said: 'If you could get the United States to remove the duty of 25 cents a bushel on grain, or if you will even induce them to allow it to be brought in as seed grain'—on which I believe the duty is 10 per cent ad valorum—'I will buy every bushel of damaged grain in Manitoba; but the duty of 25 cents a bushel on grain of money value such as this is prohibitive.' Now, if the people of Canada had voted for reciprocity, and it had carried, there would have been no trouble in the northwest to-day.

The motion to adjourn the debate was lost on a division.

BILL INTRODUCED.

Bill (No. 40) An Act respecting the Canadian Northern Ontario Railway Company.—Hon. Mr. Derbyshire.

THIRD READING.

Bill (No. 66) An Act respecting the Public Archives.—Hon. Mr. Lougheed.

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (No. 75) An Act to amend the Senate and House of Commons Act.

(In the committee.)

On clause 1,

1. Subsection 1 of section 37 of the Senate and House of Commons Act, chapter 10 of the Revised Statutes, 1906, is repealed, and the following is substituted therefor:—

37. Whenever any person is a member of either House for more than thirty days during any session, though such person may be a member for a part only of such session, he shall be entitled to his sessional allowance, subject to the deduction aforesaid for non-attendance as a member, and subject also to a deduction of fifteen dollars for each sitting day of such session before he was elected or appointed, or after he ceased to be a member, as the case may be.

Hon. Mr. POWER—I find that I was in error the other day when the Bill was up for second reading. The hon. leader of the government will probably remember that I thought it was possible that a member who was transferred from the House of Commons to this House during the session might claim two indemnities. I find that about 1905 an Act was passed to prevent that, and I suppose—although I have not examined this Bill carefully, together with that Act—that that Act would apply to the clause before us. I think it is only fair to the House and to the government to make that statement. The hon. gentleman intimated that he would consult his colleagues so as to ascertain whether there were not other respects in which this Act respecting the Senate and the House of Commons and dealing with the indemnity required to be amended. I should like to know whether he has done that?

Hon. Mr. LOUGHEED—My hon. friend expressed some doubt whether the measure as it stands to-day, would prevent a second indemnity being drawn by a member.

Hon. Mr. POWER—I withdraw that.

Hon. Mr. LOUGHEED—I said I would look into the Act with a view to prevent anything of that kind arising, and I satisfied myself that there was no possibility of an abuse of that kind growing out of the Act.

Hon. Mr. CAMPBELL—I understood from the hon. leader of the House that he was to give us some information as to what they propose to do about the cases that were referred to last session. There was a great injustice done to those hon. gentlemen. They were summoned to the Senate towards the close of the session and found that they were in debt to the country for having accepted the position. While we are going to prevent that in the future,

I think that the government ought to make this measure retroactive so as to provide for cases, which every one admits, were absurd and outrageous.

A man is summoned here in the last days of the session, and he comes in obedience to the order of the Governor General, to find that he is punished for obeying. The leader of the House ought to provide against such a condition in this Bill. Now is the time to fix it, here and now, and we surely can do it. The leader of the House spoke about these hon. gentlemen sending in their claims, but they might or might not be voted for by the House. That is not a satisfactory way. The government might possibly put an item in the supplementary estimates, and they might not. If the leader of the House will give us assurance now that due provision is to be made in the supplementary estimates to settle these claims, I shall accept his word and say no more; but unless that assurance is given, the House ought to insist that this Bill be made retroactive for a year or so at all events, so as to cover cases that everybody admits are outrageous.

Hon. Mr. LOUGHEED—This being practically a money Bill, the Senate would not have authority to make any such amendment as my hon. friend has indicated. In the second place, I have spoken to the hon. gentlemen who have suffered from the infirmity of the Act which this is intended to cure, and suggested to them what I thought was the better way of proceeding and having their grievances met, and I think my suggestion appealed to them. I am reasonably satisfied that if they adopt that suggestion, the difficulty will be overcome; but it will be quite apparent to the House that we have no authority to make this Bill retroactive or amend it in any way.

Hon. Mr. POWER—Perhaps the hon. gentleman will state to the House whether or not he has had any conference with his colleagues with respect to a way of meeting the difficulty which has arisen in connection with last session and on previous occasions.

Hon. Mr. LOUGHEED—My colleagues are aware of the difficulty which has arisen. They are not disposed to make the Bill retroactive, on account of not knowing where it would lead to.

Hon. Mr. POWER—I did not suggest that.

Hon. Mr. LOUGHEED—I have suggested to the hon. gentlemen from Banff (Hon. Mr. Forget), and Charlottetown (Hon. Mr. Prowse), that a representation should be made by them as to wherein they have been deprived of indemnity on their coming into the House late in the session, and if that is properly represented to the leaders on both sides of the House of Commons, my impression is that their grievances will meet with proper redress. No doubt the proper way to meet this difficulty would be to have a sum placed in the supplementary estimates for the purpose of indemnifying the hon. gentlemen for the losses they have sustained. There is a proper way of making that representation, and I think it will be effective.

Hon. Mr. CLORAN—If the hon. gentleman can assure the House that that will be done, there need be no difficulty in the matter. I do not favour the idea of these gentlemen having to apply to five or six of the ministers to have justice done. The leader of the House ought to make proper representation to the Treasury Board. The statement is made here publicly, and the leader of the House is the channel of information between this House and the government. It is well within his right, if not his duty, to lay the matter before the Treasury Board, and see that a full amount to cover what belongs to these hon. gentlemen should be put in the estimates. That is the proper and dignified way to do it. The hon. member from Montreal is not here; the hon. gentleman from Prince Edward Island may be called away before the close of the session, and the hon. member from Banff may not be here at the right time, and there will be nobody to look after their interests.

Hon. Sir MACKENZIE BOWELL—After the explanation made by the leader of the House, I am not so sure but that is the proper way of meeting the difficulty. The amounts can be ascertained. The Clerks of both Houses will be able to give the necessary information to enable the Finance Minister to deal with the question. I can only express my regret that the government has not had time to consider the character of the whole Bill. I have pointed out several times the incongruities in the Act. No doubt the government, with so many important matters before them, have not had time to consider this question; but by next session they may be able to introduce a new Bill which, while not retroactive, will bear equitably upon every member of the two Houses.

Hon. Mr. CAMPBELL—I quite agree with the hon. gentleman from Hastings as to the necessity of revising the present law. It is a strange anomoly that some members in both Houses, who attend the meetings of parliament for one or two days in the beginning of a session, and remain away from that time until prorogation, can draw nearly the whole of their sessional indemnity. That is something that the government should look into. I thought now was the time to amend this Bill and make it retroactive. However, as the leader of the government is of the opinion that we cannot change the Bill here, I am content to let it go at that, more especially as he has given us almost a positive assurance that the amount will be voted in the estimates. If that can be done, it should be done, and I hope the government will do it.

Hon. Mr. MACDONALD (British Columbia), from the committee, reported the Bill without amendment.

POLLUTION OF NAVIGABLE WATERS BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (A) An Act respecting the pollution of navigable waters.

(In the committee.)

On clause 2.

2. Every person is guilty of an offence against this Act and liable on summary conviction to the penalties hereinafter provided, who puts, or causes or permits to be put, or to fall, flow, or to be carried into any navigable water, or into any other water any part of which is navigable or flows into any navigable water,—

(a) any solid or liquid sewage matter; or

(b) any other solid matter which, not being sewage, is poisonous, noxious, putrid, decomposing, refuse, or waste; or

(c) any liquid matter which, not being sewage, is poisonous, noxious, putrid, decomposing, refuse or waste;

unless such matter, whether solid or liquid, is disposed of in accordance with regulations or orders made or permits granted under the authority of this Act.

2. Any person, other than a municipal or sanitary authority, shall not be guilty of an offence under this section in respect of the passing of sewage matter into a drain communicating with any sewer belonging to or under the control of any municipal or sanitary authority, if he has the sanction of the municipal or sanitary authority for such passing.

Hon. Mr. THOMPSON—This section seems to be very far reaching, and I do not know whether its application would be general all over Canada. In Fredericton, we have a sewage system which is discharged into the St. John river, with the approval of the municipality, and the legislature. We draw our drinking water from that river and use it, after a system of purification, which has cost a great deal of money. I do not know whether clause 2 of this Bill would make persons who drain into the sewer that runs out into the River St. John, liable to a penalty.

Hon. Mr. BELCOURT—The scheme of this Bill is that none of its provisions, with one exception, shall come into force when the Bill is sanctioned. The one exception is the provision referred to in section 4 and other sections of the Act, which enable the Minister of Agriculture, under the authority of the Governor in Council, to pass regulations of a general or specific character, or to declare the Act applicable to this or that portion of Canada, or to declare that it will not be applicable to this or that portion of Canada. I have no doubt that the case which is referred to by my hon. friend from Fredericton—and there are many similar cases—will receive the consideration of the Minister of Agriculture, and if, in Fredericton, there is no occasion for the application of this measure, the regulations will deter-

mine that. The provisions of section 2, creating the offence, and section 3 imposing the penalty for the offence, are sections which shall come into force only on proclamation of the Governor General in Council after consultation with the provincial boards of health.

Hon. Mr. THOMPSON—Would section 4 give the minister the power to make the provisions apply to one part of the country, and not to another?

Hon. Mr. BELCOURT—The intention of the Act is to have its provisions made applicable only to the extent which each locality may require. If the wording of the measure is not sufficient for the purpose I am open to any suggestion from my hon. friend, or any other gentleman? To my mind, the language is adequate, and will enable the Governor in Council to pass regulations, exempting one or more districts from the operation of this Bill. Clause 8 illustrates how it will be carried out. It reads:

> The Governor in Council, when it is shown to his satisfaction that the public interest will not be injuriously affected thereby, and with due regard to the interests involved and to the circumstances, means and requirements of the locality or district, may from time to time, by proclamation published in the 'Canada Gazette,' declare any such waters, or part or parts thereof, exempted in whole or in part from the operation of this Act, and on such conditions and terms as he may prescribe, and may, from time to time, revoke such proclamation.

My hon. friend will see that, manifestly, the object of the Bill is to leave it entirely in the hands of the government, after proper consideration, to determine whether the Act shall apply to a certain district.

Hon. Mr. CLORAN—Does that clause give the government power to make regulations which would be directly opposed to the provisions of the Act itself?

Hon. Mr. BELCOURT—No. It will be quite open for the minister to make regulations providing that the city of Halifax, which empties into the ocean and does not require to conform with the provisons of this Act, and that city of Halifax or Fredericton, similarly situated, shall be exempt from the operations of this Act, or that special regulations of a different character shall apply to them.

Hon. Mr. BEIQUE—The first portion of clause 4 provides that the Governor in Council may make such regulations, general or special, as are requisite or expedient to carry out the purposes and intent of the Act. These regulations could not be such as would defeat the object of the Act.

Hon. Mr. BELCOURT—I did not say to defeat the object of the Act.

Hon. Mr. BEIQUE—But it would be defeating the object of the Act.

Hon. Mr. BELCOURT—I said—that with reference to Halifax, it might be provided that the general regulations should not apply; but that specific regulations with reference to that city could and would be made. I do not say that the minister could make regulations to wipe out the provisions of clauses 2 and 3.

Hon. Mr. BEIQUE—My understanding of the Bill is that no relief could be asked under section 4 for an object such as was mentioned by the hon. gentleman from Fredericton. It would be under section 8.

Hon. Mr. BELCOURT—I contend that under clause 4, it would be quite open to the minister to say that the city of Fredericton might continue its present practice of draining its sewage into the river St. John; but under specific conditions to be fixed by the regulations.

Hon. Mr. BEIQUE—We are making it an offence to do the things mentioned in clause 2, and are giving to the Governor in Council the right to make regulations to nullify the provision of section 2. That would be the effect of clause 4; but under subclause (a) it would be open to the Governor in Council to exempt certain places. May I ask the hon. gentleman from Ottawa if the Bill before us is the same as the one passed last year?

Hon. Mr. BELCOURT—With one exception; an amendment was moved by my hon. friend to clause 8, and was inserted in the Bill. I had a discussion with him at the time over it. We could not quite agree as to the effect of it, and the amendment was made. On looking over the matter and considering it again, it oc-

cured to me very strongly, even more strongly than before, that instead of extending the scope of section 8, it was curtailed, and for these reasons I left those words out.

Rt. Hon. Sir RICHARD CARTWRIGHT—I have every sympathy with the object of my hon. friend's Bill, as probably most of us have, but this clause 2 is an extremely sweeping and formidable one, and I would like to know from the government whether the attention of the Department of Justice has been called to the Bill at large, and to clause 2 in particular. I do not want to delay the Bill. My hon. friend is anxious to make progress with it. and has taken a great deal of pains with it, but I think we might reserve a section, if need be. before we finally pass the measure, and obtain an opinion from the Department of Justice on the two points: whether this matter is fully within our jurisdiction—as to which I confess I have some doubt—and, secondly, ascertain their opinion as to the clause, which is an extremely sweeping one, and might get innocent parties into considerable trouble, if it were used as a means of oppression.

Hon. Mr. LOUGHEED—Inasmuch as this Bill passed the Senate last session, and, I am under the impression, was approved by the Department of Justice, and there being a continuity in the Department of Justice, as far as constitutional opinion is concerned, which is not altered by any change of government, I considered it unnecessary to direct their attention to it. Consequently, I have not done so.

Hon. Mr. POWER—The Bill was not passed by the Senate last session.

Rt. Hon. Sir RICHARD CARTWRIGHT—I may be mistaken, but I do not think the attention of the Department of Justice was called to it.

Hon. Mr. LOUGHEED—I thought it was.

Hon. Mr. WILSON—It strikes me that clause 2 of this Bill would come into collision with the Typhoid Fever Bill, introduced by the senior member from Ottawa, which will prevent any sewage, liquid or solid, being placed in any drain or sewer in a city, whereas clause 2 of this Bill will allow such sewage to be drained into the sewer. The Typhoid Fever Bill will prevent that being done, even when the municipality consents to it. I think we are assuming a jurisdiction which properly belongs to the local legislature. Under the Typhoid Fever Bill, people are prevented from putting refuse, either liquid or solid into a drain, unless the municipality concerned gives them permission to do so. Can the municipality do that? I am strongly in favour of everything provided in the measure introduced by the senior member for Ottawa, but I feel that we can scarcely place the two laws on the statute-book, because one will interfere with the other. I call attention to the fact that this Bill will allow acts to be done that my hon. friend (Sir Richard Scott) says shall not be done; that such acts shall be considered a crime, and will render a person liable to a criminal action. I call the attention of the leader of the House, and the government of the day, to this legislation, and would ask whether it is really in the interest of the country, and whether it is possible to have the two laws placed on the statute-book? I call the attention of hon. gentlemen to this fact, and if we are to go on with this Bill, and with the other Bill, we had better try and harmonize the two, and see that they do not come into collision with each other.

Hon. Mr. CLORAN—The object of the Bill is quite humane, but I think the machinery by which it is to be put in force is quite human. I see where lots of errors can occur in putting this measure into force. I asked the promoter of the Bill what clause 4 meant. We are not decided on that point. We have had the hon. senator from De Salaberry disagreeing absolutely with the promoter of the Bill. If two hon. gentlemen of high legal attainments cannot agree on a certain point in this House where we are passing the measure. what may we expect from the courts? Clause 4 gives the government power to pass regulations to carry the provisions of this Bill into effect. What does that mean? That is putting a tremendous power in the hands of one department of the govern-

ment—power to dictate to a municipality that may be adverse to the policy, or to the government of the day as has been done in the past. It may be rehashing old subjects, but we know that counties and municipalities have been threatened or favoured by the governments of the day according to the amount of support they might give to the party in power, or the party out of power. We have had a statesman on the Liberal side, the Hon. Edward Blake, who said he would not take power if he had to make a promise of a subsidy. That referred to a constituency right across the river here and Mr. Blake made that statement in the House one day. We should consider it very seriously before giving our sanction to anything of the kind proposed in clause 4. As the hon. gentleman opposite has called attention to clause 2, and has asked that the Bill should not be proceeded with until investigated by the judicial department of the government, I think we should not proceed further with the measure at present. Any one reading clause 2 will see the danger to which municipalities and individuals in the country will be exposed. This clause gives the right to public officials to meddle with purely local and provincial matters. I have no hesitation in expressing the opinion that that clause, on the face of it, is ultra vires. We may have a right to deal with navigable waters, but we have no right to deal with any water which may be in part navigable, or not at all navigable. The clause is a very stringent one. It leaves it open to anybody to prosecute a neighbour. It is a clause that ought to be considered very carefully, because it would be one of the most dangerous under the Criminal Code. Anybody who should carelessly drop something into the water might be prosecuted. That is a power which should not be placed in the hands of any individual. The suggestion of the leader of the House is quite proper—the Bill should go to the Department of Justice to be considered from the criminal point of view, and whether it would be advisable to place such a power in the hands of any individual or any officer. I move that clause 2 be suspended.

Hon. Mr. THOMPSON—It has been suggested that this clause be allowed to stand until we could get the opinion of the Minister of Justice.

Hon. Mr. BELCOURT—This is a very important matter unquestionably. I have no objection whatever that the views of the Minister of Justice should be sought on the constitutional question. As to the question of policy, the Minister of Justice has nothing to say; it is for this House to say whether we should pass it.

Hon. Mr. BEIQUE—There would be a question about the constitutionality of the measure.

Hon. Mr. BELCOURT—Last year we discussed the constitutional question at great length, and while there was some difference of opinion, in the end there appeared to be no doubt that the Bill was constitutional; if the hon. gentlemen wish to be fortified on that score, there is no reasonable objection. The only point I wish to urge on the House is that this Bill has been before us three sessions. Last session it did not reach the House of Commons in time, and if it is delayed here and this session is to be short, it may meet the same fate. We might send it to the House of Commons and let them make it a government measure if they choose. I have some reason to think that if the Senate passes this Bill, and it reaches the Commons in time, it will be made a government measure. The constitutional question has been gone into by members of the House, and, so far as I know, the doubts which existed at one time have been all removed.

Hon. Mr. DAVID—Will the hon. gentleman be kind enough to tell me, as he has studied this question with a good deal of attention, if all the legislation contained in clause 2 could be passed by the provincial legislatures?

Hon. Mr. BELCOURT—That is a question which I should not like to answer offhand.

Hon. Mr. BEIQUE—They could not make a violation of the law a crime.

Hon. Mr. BELCOURT—As far as navigable waters are concerned, the provincial legislators could not pass a law of the kind,

because the navigable waters are under our jurisdiction and not under theirs.

Hon. Mr. DAVID—Do you not think that jurisdiction is given to the federal parliament as regards navigation only?

Hon. Mr. DE VEBER—When we are considering this question we should bear in mind the fact that while we are splitting straws finding out who have the power to do this and to do that, hundreds of people are being murdered every year. Let us send the Bill to the other House. The Minister of Justice is there and it will be his place to decide whether parliament has power to pass this legislation. All the provinces of the Dominion have pollution of Streams Acts. Some are stronger than others—some are as stringent as the Bill before us. We, by passing this Bill, are simply backing them up, and, I think, in justice to the people whose lives are being endangered every day by this practice of emptying sewage into the rivers, we should take their health and safety into consideration and pass the Bill, leaving it to the House of Commons to determine the question of its constitutionality.

Hon. Mr. POWER—I have no doubt the promoter of the Bill remembers distinctly that on more than one occasion I showed a spirit which was hardly friendly to the Bill, but I must say on the present occasion, with respect to clause 2 of the Bill, that if we are to have a Bill at all to protect the streams from pollution, the language of the clause is not too strong. It forbids the putting into any navigable water or any other water which flows into navigable water, of any solid or liquid sewage matter. That seems to be a necessary thing if you are going to have a Bill. I do not see how, if you propose to pass this measure at all, you can use any weaker language than that. Then sub-clause 2 says:

2. Any person, other than a municipal or sanitary authority, shall not be guilty of an offence under this section in respect of the passing of sewage matter into a drain communicating with any sewer belonging to or under the control of any municipal or sanitary authority, if he has the sanction of the municipal or sanitary authority for such passing.

The effect of that will be that in a case like that of Fredericton, the householders who let their sewage go into the common sewers are not liable. The fight, if there is to be a fight, will be between the city of Fredericton and the federal authorities. I can understand why some hon. gentlemen object to clause 3, because the penalty is rather high, but for a corporation it is not to exceed $500, and for an individual not to exceed $50.

Hon. Mr. THOMPSON—Does that apply to municipal corporations?

Hon. Mr. POWER—I think that is what it means. I withdraw my objection to the Bill as a whole, but I wish to call the attention of the committee to what I think is really the weak point about it. Supposing that the Bill goes into operation over the whole country, or is about going into operation, then under clause 8, the promoter of the Bill has provided a means of exempting certain districts. Then clause 9 says:

9. Sections 2 and 3 of this Act shall not come into force until such date as is appointed therefor by the Governor in Council by proclamation published in the 'Canada Gazette.'

The suggestion that I respectfully make to the promoter of the Bill is that he should develop clause 9 a little further.

The CHAIRMAN—The committee to which this Bill has been referred have amended that clause.

Hon. Mr. POWER—I know, but that is not the point I am making. My point is this: that you have to take the position, when this Bill is assented to by the Governor General, that it is supposed to apply to the whole country. You cannot very well bring clause 8 into operation until the Bill is in force. Under clause 9 the Bill goes into operation over the whole country subject to any exceptions to be made under clause 8. My suggestion to the hon. and learned promoter of the Bill is that he should develop clause 9 so as to provide that the law shall not go into operation in any district until the Governor General in Council declares that it is to operate in that locality or district. The amendment that I put down hurriedly is to read at the end of the first line of clause 9:

Sections 2 and 3 of this Act shall not come into force in any locality or district until such date as is appointed therefor.

If the clause is developed in accordance with that idea, then the Governor General in Council, according as the country is prepared for the Act, can put it into operation. I only make the suggestion and I think it is worth considering.

Hon. Mr. BELCOURT—I think that is probably a good suggestion, but I might possibly improve on it—why not put it this way:

This Act shall come into force in such district or districts as may be specified by the Governor General in Council.

Hon. Mr. THOMPSON—The Senate is in much more of a panic over this legislation than the country is. I have not learned that there is any feeling in the country that legislation of this character should be dealt with by the Senate. I am of the opinion that we are forcing this on the public without any disposition on the part of the country here, or elsewhere, that we should meddle in this matter. The municipalities have the direct control. There is no question that if this Act went into force the minute a proclamation took place and a district had not made application to the government, it would apply to that district. The fact is, a general proclamation by the government, or in districts by the government, before the districts are heard from would cause a condition of things that would be very disturbing. Take it in its application to the River St. John, for instance. For hundreds of miles on one side is the United States and on the other side New Brunswick. On that river, one hundred and fifty million logs are rafted every year, and two or three thousand men are engaged there in operations, driving, &c. If this Act were in force for two hours, every individual employed on that river might be liable to be brought before the court. Unless there is a demand, if it is not clearly constitutional, I do not think it improves our position as a Senate to ride rough shod over the constitution of the country.

Hon. Mr. BELCOURT—On that score, I may set my hon. friend's mind perfectly at rest. He says there is no demand for this legislation. I have here a series of articles published by Mr. Murray, C.E., in the 'Globe,' quite recently, one on the 29th December last and one on the 1st January, 1912, and the last one a few days later. In discussing this very Bill, Mr. Murray says, among other things:

There appears to be a general consensus of opinion among those representing provincial health authorities that the time has come when some defined action must be taken by the Dominion legislature. On October 12-13 last year the Public Health Committee of the Commission called a joint conference at Ottawa at which were represented the public health officials of the various provinces as well as the Dominion officials connected with public health administration. This conference resulted in a report, which in part stated: 'Whereas the pollution of the waterways of the Dominion by raw sewage and factory wastes is a menace to the health of the public by reason of the contamination of public water supplies as indicated by the excessive mortality from typhoid fever alone,' &c. The report then goes on to point out that the question is national as well as provincial, as provincial authorities only have jurisdiction over the waterways within their own boundaries and are unable to protect those resident against pollution which may happen either in a contiguous province or in an adjoining country. The conference recommended that the Dominion of Canada enact a law on the lines of the draft Bill, this being the Bill now before parliament.

It will thus be seen that the provincial health authorities will welcome any Dominion legislation on this question, and are not inclined to view the matter in the light of interference with provincial rights.

It is unquestionable that the provincial authorities may by enactment prohibit the pollution of surface waters within their own boundaries. The difficulty in the past has been the adoption of some effective method of enforcing legislation. The province of Saskatchewan, however, appears to have solved the difficulty, and enacts that no money by-law is valid or can be submitted to the people until such time as the consent of the provincial government has been obtained to any system of sewerage or water supply. The provincial health authority of Saskatchewan is represented by a Bureau of Public Health administered by a commissioner, and while no purity standard is laid down, each scheme is considered on its merits with referenec to local conditions, and the commissioner establishes a standard relative to each particular circumstance. It would appear that this precedent is likely to be followed by other provincial health authorities; in fact, the conference of the Dominion and provincial health officers adopted the following resolution:—

That the legislatures of the Dominion of Canada be recommended to insert in their public health Acts a clause as follows:—'No by-law providing for the raising of money for

the construction, operation or extension of any system of waterworks or common sewer or system of sewerage or sewage disposal shall be submitted to the votes of the electors by the council of any municipality until the consent of the Commissioner of Public Health or of the Provincial Board of Health, as the case may be, to the proposed construction, operation or extension has been first obtained, and the preamble to every such by-law shall declare that such consent has been duly obtained; no debenture shall be valid if issued under any by-law passed in contravention of the provisions of this section.'

Mr. Murray has evidently given very serious consideration to this matter, and he says that in every aspect of this Bill it has not only received his approbation but also that of the boards of health of the country. Hon. gentlemen must remember that this Bill, at the request of the Senate, was submitted to the Conservation Commission last year, and it was returned with a report expressing approval of it and asking the Senate to pass it. So it is idle to say that there is no demand for this legislation. It must be remembered that the Bill was introduced long before there was a typhoid epidemic in Ottawa, and it was not introduced because of that epidemic, but because it was an absolute necessity. I do not think my Bill is perfect, and would welcome any suggestions that would make it so; but if we are to pass legislation of this kind when are we going to do it? Are we going to wait ten or twenty years, when it will be ten or twenty times more difficult to enforce it? I do not see how anybody is going to suffer. We simply say the time has come when the principle should be sanctioned, and we provide the machinery to enable the government some time, perhaps in five years or ten years, to stop this criminal practice of polluting the water supply with sewage. It is only after taking the opinion of experts on the subject that regulations will be framed, and cases such as Halifax and other parts of the country will be considered on their merits.

Hin. Mr. WILSON—Will the hon. gentleman say whether this Bill in any way interferes with the jurisdiction of the local legislature if it passes? In other words, has a local legislature the right to pass an Act to prevent excreta from typhoid patients and other matters being put in the sewer of a new municipality?

Hon. Mr. DAVID—Yes, they have.

Hon. Mr. WILSON—Will they have a right to pass an Act to prevent the transmission of typhoid discharges and such matter being put into the sewers of a municipality?

Hon. Mr. BELCOURT—My hon. friend has asked me to explain things that are not germane to this Bill. What local legislatures can or will do is a matter of very little concern to us, except that we know for a fact that the provincial legislatures are with us in this legislation and want us to pass this Bill.

Hon. Mr. THOMPSON—The provincial legislatures?

Hon. Mr. BELCOURT—Yes.

Hon. Mr. THOMPSON—Does the hon. gentleman mean to tell me that the provincial legislature of New Brunswick has passed such a resolution?

Hon. Mr. BELCOURT—I say that at the request of the Commission on Conservation the various members of the public health officers from the provinces were asked to come to Ottawa and consider this Bill with them, and jointly with the Dominion officials, the various public officers commended and approved of the passing of this Bill.

Hon. Mr. WILSON—Does my hon. friend tell me that if this Bill passes, the provincial legislatures will be debarred from passing an Act to protect the public health from any other cause?

Hon. Sir RICHARD SCOTT—No, it does not interfere with the provinces at all.

Hon. Mr. WILSON—I call the attention of the senior member for Ottawa to the fact that this Bill will prevent clause 10 of his typhoid fever Bill from becoming law should it pass.

Hon. Sir RICHARD SCOTT—There is no conflict between the two Bills at all; no conflict whatever.

Hon. Mr. WILSON—I cannot see it in that light. If we get a legal opinion upon it, we shall find that they are in conflict. This Bill provides that if any matter is drained into a sewer, permission must be obtained from the municipality. My hon. friend from Ottawa says if that is a deleterious matter they are liable to fine; therefore I think the Bills will come in conflict. I am not a lawyer, but it would seem to me that such would be the case; and I would suggest that the gentleman having the Bill in charge should move that the committee rise and report progress.

Hon. Mr. BELCOURT— I am wiling to do that.

The clause was agreed to.

Hon. Mr. BELCOURT moved that the committee rise and report progress.

Hon. Mr. WILSON—I think the Bill should not pass. There is no great hurry for it, no anxiety for it expressed by the country, and I think it would be better that the committee rise and report progress.

The committee rose and reported progress, and asked leave to sit again to-morrow.

SECOND READING.

Bill (No. 27) An Act respecting the Security Life Insurance Company of Canada.—Hon. Mr. Owens.

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

THE SENATE.

THURSDAY, February 8, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (N) An Act to incorporate the Dominion Pacific Railway Company.—Hon. Mr. Edwards.

Bill (O) An Act respecting the Protectorate Life Insurance Company of Canada.—Hon. Mr. Edwards.

NAVAL ACT REPEAL BILL.

FIRST READING.

Hon. Mr. CHOQUETTE introduced Bill (P) An Act to repeal Chap. 43 of 9-10 Edward VII, An Act respecting the Naval Service of Canada.

The Bill was read a first time.

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

Hon. Mr. CLORAN—What is the purpose of this Bill?

Hon. Mr. CHOQUETTE—To repeal the Naval Act.

Hon. Mr. CLORAN—I will second that every time.

The motion was agreed to, and the Bill was ordered for second reading on Tuesday next.

MOVEMENTS OF POPULATION IN CANADA.

MOTION.

Hon. Mr. POWER moved:

That a special committee be forthwith appointed to inquire into and consider the disappointing nature of movements of population in Canada, more especially as affecting the rural districts of the older provinces, as shown by the census of 1911, and to report from time to time.

That such committee have power to send for persons, papers and records, to examine witnesses under oath and to employ stenographers; and

That such committee be authorized to expend for the foregoing and other necessary purposes sums of money not exceeding in the whole five hundred dollars.

That such committee be composed of the hon. Messieurs Yeo, Beith, Derbyshire, Casgrain, Tessier, Baird, Taylor, Pope and the mover.

He said: I do not think it is necessary to trouble the House for any length of time in moving the resolution of which I have given notice. The result of the census taken last year is, on the whole, satisfactory. The population of Canada has increased at a reasonably rapid rate; but, when we come to look at the details of the census, we find certain facts which are not so satis-

factory. In the first place, it will be noticed that in the three lower provinces there has been practically no increase of population. In the province of Nova Scotia, if one excepts the cities of Halifax, Sydney and Glace Bay, there has been, I think, an actual falling off of population. In the province of New Brunswick there has been a slight increase, but in the province of Prince Edward Island, which has been very properly called the garden of the gulf, one of the most fertile portions of the whole country, there has been a very considerable decrease in the population during the last ten years. Take the great province of Ontario, while there has been some increase in the aggregate population of the province, when we come to examine a little carefully, and deduct the increase which has taken place in certain cities, there has been substantially no increase whatever in the rural districts, and, as I have already indicated, the misfortune is that in the rural districts, where the increase of population is most desirable, there has been, in a great many cases, not only no increase, but an actual diminution. I have said enough, I think, to indicate what is the case in Prince Edward Island and Nova Scotia; but in the province of Ontario, take counties like the Hurons, a most fertile district with a very enterprising and industrious population, we find there has been a falling off I think of something like nine thousand in the ten years. This is an unsatisfactory condition of affairs, as every hon. gentleman must acknowledge.

There are various reasons given for this condition of things. You meet one gentleman and he gives one reason, and you meet another who gives a different reason. I think it is desirable, with a view to future action calculated to improve existing conditions, that there should be some sort of inquiry which would lead to some substantial, definite and authoritative results; and for that reason I have taken the liberty of moving for this committee. Every hon. gentleman must admit that the subject is of sufficient consequence to deserve a committee, and we have rather more time here to devote to questions of this kind than they have in the other House, and as it is desirable that the inquiry should be made I think it is only reasonable and proper that it should be made in this House inasmuch as it cannot just now be made in the other. It is stated in this resolution that the committee be authorized to expend a sum not exceeding in the whole $500. It will be remembered that when the Committee on Public Health were authorized to make an investigation two years ago, I think it was, they were given power to spend the same amount of money, and I do not think that they spent all the money which was appropriated. I have no reason to suppose that the committee which I am moving for, if appointed, will spend anything like the $500, but I put it at that amount in order to be safe. I do not think it necessary to say anything more.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am very glad that my hon. friend beside me has brought forward this motion. There could scarcely be a question of greater interest to the whole community than that of a proper distribution as between the agricultural and civic classes throughout this Dominion. I am sorry to say that my experience, and I think it is the experience of most hon. gentlemen, is that, from whatever cause it may be, there is at present, and has been for a very considerable time, not in Canada alone, but in many other countries, a drift from the country to the city, which is neither wholesome nor desirable, in my opinion. In the great province from which I come, the province of Ontario, I may say it has been almost painfully noticeable during the past few years. The distribution of population, I hear from the census authorities, has been altered to such an extent that to-day probably one-half of the whole of the population of that great agricultural province are immured in various towns, cities and villages, while, on the other hand the agricultural population, on which the rest must depend, and on which the welfare of the country depends, shows in almost every county from one end of Ontario to the other, either an absolute or positive reduction, or else they are simply standing still; in other words they have lost the entire of their natural increase. My hon. friend gave as an illustration a

case of the three ridings of Huron, with which I am particularly well acquainted, as I have the honour of representing the whole of them, or parts of them, according to the way in which they were gerrymandered from time to time. Now, in those constituencies—and he was right in saying that they are among the most fertile in all Ontario, and I might say in all Canada—there has been a very steady, and a very formidable decrease of population within the last twenty or thirty years. I believe I am right in saying that not merely has there been a decrease, as he stated, of some 9,000 in the three ridings within the last ten years, but that since 1891 the decrease has amounted to fully 20,000. The same thing has taken place in a great many other constituencies. I believe that out of the 86 constituencies into which Ontario is divided, scarcely sxteen of those, almost invariably city constituencies, or constituencies in which there are large towns, have grown considerably at the expense of the rest of the community. There are of the 86, scarcely more than 16, I believe, that show a positive increase, and a very great number that show a downright decrease.

No doubt the general results of the census were satisfactory. The population of Canada had increased by something like 1,750,000 within a space of ten years, a most gratifying exhibit compared with the increase that had taken place the preceding eleven years, and quite equal to the increase which took place in the United States, when their population was about the same as ours was in 1901. Nevertheless, I think my hon. friend's committee will do a considerable service if they investigate and report to us the reasons, so far as they can ascertain them, why in such a country as Canada, more particularly in such a province as Ontario, and I might add Prince Edward Island——

Hon. Mr. POWER—And Nova Scotia.

Rt. Hon. Sir RICHARD CARTWRIGHT—Nova Scotia, I am inclined to think, is more a maritime than an agricultural province. But in any case I think that my hon. friend cannot employ his spare time better than in endeavouring to obtain information, from whatever quarter he can, as to what are the causes of what I regard as very unfortunate circumstances, that is, the positive loss which has occurred in so many fertile rural constituencies and the drift which has taken place, from various causes and reasons, towards the cities and towns in their vicinity.

Hon. Mr. LOUGHEED—I quite agree as to the desirability of appointing a select committee for the purpose of making such an inquiry as my hon. friend has in view. I think, however, that such a committee will not discover causes with which we are not familiar at the present time, but may in all probability be better able to direct attention to the causes which are well recognized, that bring about decrease in population. The whole trend of population for generations past has been westward. The incentive to any man is to reach some place where there are greater possibilities before him than in some community which has practically been developed. The United States have passed through the same difficulties—at least the New England States have—from which the maritime provinces suffer. When the western prairies of the United States were opened up, the New England states became to some extent depopulated. When our western provinces were opened up, the same effect was found in the eastern provinces of Canada. That is human nature. It is owing to well recognized economic conditions. You cannot expect young men, who are battling their way through life, and who hope to see a promising future before them, and to take advantage of many conditions which present themselves to the public mind, particularly in western Canada, to remain in an old settlement. I say without hesitation that in no part of the civilized world are there such favourable conditions awaiting the energetic and ambitious young man as are to be found in western Canada to-day. We cannot, therefore, expect the rising generation, in those sections of Canada which have been developed for a generation past, to permit themselves to become fixtures in their native provinces, from purely patriotic or home motives, and thus sacrifice the opportunities of which others are taking advantage in the great Northwest. The same thing presents itself to every observ-

ing mind in every country in Europe. There we find the same thing prevailing—hundreds of thousands leaving the comforts of civilization in Europe and becoming pioneers in new countries that they may better their condition. Those same conditions to which my hon. friend refers are to be found in every country in the continent of Europe. Furthermore, it is almost unnecessary to point out that this is an age when people seek pleasure and amusement which cannot be furnished in the country. The great cities of the United States, which lie near the boundary of Canada, are powerful magnets which draw the young people from Canada—cities like Boston, for instance. There was a time when the younger generation of Ontario sought Chicago and other western cities of the United States, which like magnets drew them from their homes.

It seems to me that the most important duty the state or the people of the older provinces have to give consideration to, is to make agricultural or farm life appeal more strongly to the rising generation than it has in the past, and I am glad to see that throughout the Dominion of Canada the good roads movement is taking hold and receiving a very great deal of attention. There is to-day a very large representative deputation waiting upon the government to urge the importance of developing colonization roads throughout Canada. You cannot expect the rising generation to remain on a farm all their days, and to face the difficulties and undergo the trials and deprivations which their forefathers have undergone, and unless the people themselves, and the state, will give proper consideration to developing conditions of farm life which are so necessary to make life attractive, then so long may we expect the farms, particularly in the older sections of Canada, to be depopulated of the rising generation. I fancy this committee will take into consideration those problems. I do not think they will discover anything which has not already been recognized, but such a committee will be able to direct the attention of the provincial and federal governments to the necessity of working out this problem, by which the population may be more evenly distributed than we find to-day, and by which the older parts of the country may retain that importance which we would like to accord to them, and which we hope may remain with them for many years to come. I shall be very glad to support anything my hon. friend has in view in the direction of such a committee making every inquiry into this subject.

Hon. Sir MACKENZIE BOWELL—I fully concur in every word uttered by my hon. friend the leader of the House. But any one who has travelled through the northwest provinces will soon find a reason for the depopulation of the rural sections of the east, particularly in Ontario. I have been through a considerable portion of the Northwest, and a large portion of Manitoba. I took the trouble some years ago to inquire of almost every farmer I met, and in different sections of the country as to the place from whence he came to settle in Manitoba, and I can inform the hon. leader of the opposition that, in one or two sections of Manitoba, 99 per cent of the people I spoke to informed me that they came from the counties of Grey, Bruce or Huron, the portions of the province of Ontario that my hon. friend referred to as being their representative. I do not say that the people left because he represented the county. Those who have had any experience of settlement in older provinces of the Dominion know that the farmer had to settle upon a thickly wooded farm. His life was almost passed before he had made a comfortable home for himself, and as the son grew up the parent would try and settle him as near as he could, by dividing up the farm, or purchasing lots that were then sold by the government without a single stick cut. The moment the Northwest Territories were opened for settlement, and the farmers began to understand the advantage of going to that part of the country, the father in the old sections of the country, instead of investing $500 or $1,000 in the purchase of a lot for his son, give the money to him to go west, because he knew that when he reached the west and secured a homestead all he had to do was to put in the plough instead of having to clear the land upon which he was to settle. I will give a practical illustration

from my own county. A young man from the county of Hastings had been in the western states, I forget whether it was Montana or Dakota, but the result of his return to the county was the depopulation of that section of the riding to the extent of thirty or forty people. He took some married men, and some young men and women away with him. He gave a glowing description of the fertility of the soil, and the readiness with which they could obtain land and settle upon it, and produce in a couple of years enough to live upon instead of having to go to work to clear the land and wait for half a generation before getting a comfortable home. In visiting my own constituency—and I presume it is the experience of every one who has been in the Northwest—I did not dare give my own honest, frank opinion as to the advantages to the farmers in leaving the part of the country in which they were settled and going to the west. I studiously avoided doing that, and, on the contrary, recommended every one who had a farm of his own to stay where he was if he could get a good living from it. I think my hon. friend, who is the chairman of that committee, will find that the cause of the depopulation of the older portions of the country has been that which has been so clearly pointed out by my hon. friend to my left (Hon. Mr. Lougheed). It is true, as the hon. leader of the opposition says that there has been a great influx from the rural sections of the country into the cities and towns for a number of years past, for the reason that the investment of large sums of money in the industrial pursuits of the country demanded labour, and thousands left the farms because they thought town life or work in a factory was easier and more comfortable, and that they would be in better society than they would be at home. I deplore that state of affairs. I think it is a great mistake. The young men are better on the farms, and when I say this I am speaking from long experience in association with the rural population. My father went on a backwoods farm before a stick of wood was cut on it, and remained there during his whole life. If the Northwest Territories had been opened at that time, and if he could have gone there and turned his attention from his business as a builder, and contractor, and settled on a farm in the Northwest, instead of having to work until he was sixty or seventy years of age, before he had a clear farm or a comfortable home, he would have been much better off. Had he invested the same amount of money, and applied the same industry to a farm in the Northwest he would have been a wealthy man, instead of being simply comfortably off. Such are the reasons which have induced people to leave farms in the older provinces, particularly the young men, and go to the Northwest. If I am not much mistaken, the hon. gentleman will find that the reasons for the depopulation of the older sections of Ontario, and more particularly of some portions of the maritime provinces—although it has not occurred in Quebec to the same extent as in the other portions—are two fold. One is that peopeople have gone into the manufacturing states to find employment, and other people have gone into the Northwest; that while the older provinces have to a certain extent been depopulated, the population of the great Northwest Territories have marvellously increased, not altogether by foreigners, but by the migration of the younger members of the community from Ontario, and the other provinces, who are seeking homes in the Northwest.

To realize this fact, all we have to do is to look at the gentlemen who are here today from the Northwest; every one of them came from the older provinces and went west because they could better themselves, and I am very glad to know that they succeeded in doing so. Depend upon it thousands more from the older provinces will migrate to the newer provinces in the west. The movement has not yet stopped. The advice given half a century ago by Horace Greely to the younger men of the United States—'Go west, young man'—has been acted on, as was proved by the fact mentioned by the hon. leader to my left, by the depopulation of the eastern states of the neighbouring republic to a much greater extent than has occurred in Canada.

Hon. Mr. WATSON—There is one thing that is satisfactory about the result of the

census—that is, that the population of the Dominion, as a whole, has increased to a very encouraging extent. The complaints made that young men go from eastern Canada to western Canada really afford reasons for gratification, because there is no doubt at all that a farmer in the west will produce three or four times as much wealth in a given time as he could on the old homestead in the east. But there is another aspect of this matter, which I am glad has been discussed here, namely, the advisability of keeping the young men on the land. The government of the day ought to turn their attention to that very important point. Good roads alone will not do it; but the general legislation of the country should be along the direction of making the condition of the farmer more profitable.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. WATSON—If that is done, he will stay on the farm. The trend of our legislation in Canada for a number of years has been in the wrong direction. It has been entirely along the line of building up the cities and the urban population. You have been bonussing and protecting manufacturing industries that are able to pay higher wages than the farmer is able to pay. You are bleeding the farmer, on the other hand, by making him pay more for the goods he has to consume on account of that protection.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. WATSON—Now, I trust that this committee, when they report, will be able to show some reasons that have brought about this condition of affairs. There is no question that a great many people, notably Mr. Hill, of the Great Northern railway, are saying, 'Stay on the land; stay on the land.' A term that Mr. Hill very often uses, and a very appropriate term, is 'People without land are a mob; while land without people is a wilderness.' There is no question about that at all, and Mr. Hill does everything he can to try and keep the people on the land, probably for the purpose of encouraging them to grow produce that will give him more freight. The opinions expressed by every hon. gentleman who has spoken here to-day should direct the government along the line of making the conditions of the farmer more profitable, because he will stay on the land if it is more profitable there than elsewhere. It is the lure of money making that controls his movements. We are pleased to know that within the last ten or fifteen years Canada has not only retained her natural increase, but that the population has greatly increased by immigration from abroad. Previous to that, we, unfortunately, saw our young people going to the United States; Canada was simply a breeding ground for the United States for a number of years.

Hon. Mr. McSWEENEY—We have some yet going.

Hon. Mr. WATSON—Yes, but while we have some going to the United States we have hundreds of thousands coming from the United States to the Northwest.

Rt. Hon. Sir RICHARD CARTWRIGHT—With money in both pockets.

Hon. Mr. WATSON—I am pleased with the sentiments that have been uttered here to-day, and it is a wise thing for the government and for legislators to sit up and consider the position we are in, and that legislation should be directed towards making the position of the farmer more profitable and not subsidizing manufacturers and thus enabling them to draw young men off the farm into the cities and urban settlements.

The motion was agreed to.

THE ANNUITIES GRANTS.

MOTION.

Hon. Mr. BELL moved:

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

1. The number of persons who have been appointed to the position of lecturers upon the subject of annuities under cap. 5, 7-8 Edward VII., 'An Act to authorize the issue of government Annuities for Old Age and Amendments thereto.'

2. The names of such lecturers, the amount of salary paid to each, of travelling expenses or payments for any other service rendered in connection therewith.

3. The number of clerks and others employed in connection with the organization and putting into force the provisions of the

Annuities Act; and the salaries and wages paid to each one so employed.

4. The total expense incurred in the organization of the Annuities Branch of the Public Service, to the end of December, 1911.

Rt. Hon. Sir RICHARD CARTWRIGHT --The motion is, of course, a good one, and should be adopted. I take this particular opportunity of calling the attention of my hon. friend to a little matter which was not in controversy, but which was alluded to by him in the course of some remarks recently made. He was under the impression that the British government, through their post office service, had successfully conducted a system of deferred annuities. It is true that the British government, through their post offices, had adopted a system of deferred annuities; how many years it has been in operation I do not know. Hon. gentlemen will remember that the English population is forty-five millions, or thereabout, while ours is a little over seven millions. I have here a return from the Imperial parliament on the matter of deferred annuities. I find that the total number of deferred annuities granted in the year 1908, which is the latest that I can obtain information about, by the English post office service, was exactly one hundred and fifty. The number granted by us last year was fifteen hundred. So that I think I am within my rights in saying that unless our post offices bestir themselves infinitely more than the English post offices have done, the change to that department is not likely to be attended with any very important results.

The motion was agreed to.

CRIMINAL CODE ACT AMENDMENT BILL.

FIRST READING.

A message was received from the House of Commons with Bill (No. 9) An Act to amend the Criminal Code.

The Bill was read the first time.

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

Hon. Mr. CLORAN--Will the hon. gentleman state the object of the Bill?

Hon. Mr. LOUGHEED—It deals apparently with taking possession of drift timber, and also with the defacing of marks on timber. It is evidently legislation looking to the protection of timber in streams.

The motion was agreed to.

BILLS INTRODUCED.

Bill (No. 53) An Act respecting Patents of Edmund F. Piper.—Hon. Mr. Edwards.

Bill (No. 63) An Act to incorporate the Premier Life Insurance Company.—Hon. Mr. De Veber.

Bill (No. 72) An Act to incorporate the Sterling Life Insurance Company of Canada.—Hon. Mr. Taylor.

Bill (No. 96) An Act to amend the Manitoba Grain Act.—Hon. Mr. Lougheed.

SASKATCHEWAN LIFE INSURANCE COMPANY'S BILL.

THIRD READING POSTPONED.

The order of the day being called for third reading of Bill (No. 26), An Act to incorporate the Saskatchewan Life Insurance Company.

Hon. Mr. WATSON moved that the order be discharged and that the third reading be fixed for Tuesday next. He said: The solicitors in charge of the Bill are in communication with the company in Regina. They have not yet got sufficient information to enable them to agree to change the name and I am, therefore, moving for a postponement of the third reading.

The motion was agreed to, and the Bill was ordered for third reading on Tuesday next.

THIRD READING.

Bill (No. 75) An Act to amend the Senate and House of Commons Act.—Hon. Mr. Lougheed.

SENATE AND HOUSE OF COMMONS AMENDMENT BILL.

SECOND READING FURTHER POSTPONED.

The order of the day being called for second reading of Bill (C) An Act to amend the Senate and House of Commons Act.

Hon. Mr. WATSON moved that the order be postponed until Thursday next.

Hon. Sir MACKENZIE BOWELL—What object can there be in allowing such an order to remain on the paper? It is clearly out of order. It deals with a question of public money, and can only be considered by us after it has been recommended by His Excellency to the House of Commons, and then sent up to the Senate. I take that point now as a matter for the ruling of the Chair. Unless there is some reason why my hon. friend thinks the second reading of the Bill should stand, I ask for a ruling.

Hon. Mr. WATSON—I only moved it, as a matter of courtesy, for the hon. gentleman from Rothesay (Hon. Mr. Domville) who is not here. I understand he is expected here next week, and it will not do any harm to let him express his views to the House.

Hon. Sir MACKENZIE BOWELL—Under the circumstances, I will withdraw my objection.

The motion was agreed to, and the second reading was postponed until Tuesday next.

SECOND READINGS.

Bill (L) An Act for the relief of Edna Wells.—Hon. Mr. Ratz.

Bill (No. 47) An Act respecting the Hamilton, Waterloo and Guelph Railway Company.—Hon. Mr. Gibson.

Bill (No. 48) An Act respecting the Kootenay and Alberta Railway Company.—Hon. Mr. Bostock.

Bill (No. 49) An Act respecting the Montreal Central Terminal Company.—Hon. Mr. Owens.

TYPHOID FEVER BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (G) An Act to check the spreading of Typhoid Fever.

(In the Committee.)

Hon. Sir RICHARD SCOTT—I have been requested to give further information in regard to the measure now before the committee, and I may be permitted to make a few observations on the source of the typhoid epidemic which visited Ottawa a year ago, and of the method that has been suggested for the checking of it. In the month of March last, the epidemic became so very serious that the attention of the whole country was called to it, and at the instance of the chairman of the Commission on Conservation, the Provincial Board of Health were appealed to, and they took up the question, and published the result of their inquiry in a volume which I hold in my hand, and from which I shall quote a few extracts. I may say briefly that they found up to the time of the inquiry in March—and the epidemic continued some time after that—over nine hundred cases had been reported, and fifty-two deaths had occurred. It still continued to prevail. The members of the committee were Dr. J. W. S. McCullough, Chief Health Officer of the Province; Dr. R. W. Bell, Medical Inspector of the Board of Health, and Colonel Jones, the head of the Medical Department of the Militia Department of Canada, and Major Drum, who, I think, is the Secretary of the Provincial Board of Health. They went very fully into the inquiry as to the causes of this epidemic, and I shall briefly refer to the conclusions which they reached. They found that in the month of December, 1910, there had been two cases of typhoid in one of the suburbs of Ottawa to the west, on what was called Cave Creek, and the excreta from those persons, while they had typhoid, was thrown into a privy that had its back on the creek, and therefore was carried down to the Ottawa river. The intake for the water supply of Ottawa goes well out into the centre of the stream, but at times, when the water is low, there is a valve midway between the aqueduct and the intake pipe, opened for the purpose of allowing additional water pressure in case of fire. This valve in the intake pipe had been opened some eight or ten times during December and January, and the conclusions reached by the commission were that owing to the opening of the intake pipe, which was in the vicinity of the outlet of Cave Creek, the typhoid bacilli entered the pipe and were carried down into the aqueduct

and distributed through the service pipes among the people. That fact was also corroborated in another way. While Ottawa suffered from this epidemic, the city of Hull was entirely free, although they drew their water from practically the same source, the currents of the Ottawa river, and that is further confirmed by the fact that a couple of years ago typhoid broke out in Hull owing to some defect in their supply pipe, and it did not prevail in Ottawa, showing conclusively that it is due to water pollution. The evidence there was of course absolutely undoubted. The commission reported, after investigation as to the causes of the Ottawa epidemic, that throughout the city there were the old fashioned privies in existence, and that in cases where the typhoid occurred, the excreta had not been properly disposed of. On March 11, they say:

> 'Where such a relic of mediaevalism (privy pit) is in use, and becomes the receptacle of the excreta of a typhoid fever patient, it is imperative that there should be a thorough and careful disinfection of the contents, and for this purpose the health department should exercise the greatest vigilance, by systematically performing the necessary services; for, if left to the individual householder, it is found the work is never properly performed. The conditions to which your attention is directed are such as to call for immediate action by yourself and the local board of health, which would look to the thorough disinfection of the pits and their contents, and also of the premises immediately around the pits wherever they are found to be contaminated by the typhoid excreta, and for the careful removal of the contents of the pits after disinfection.'

Accompanying this report is a list of houses in which typhoid fever was discovered. They go on to say that had it occurred in the summer season when the flies would have carried the bacilli, instead of in the cold weather, the epidemic would have been very much worse; but the effect of the freezing in winter checked to some extent the dissemination of the disease. I find the highest authorities, both in the United States and in England, recommend disinfection by carbolic acid or some other powerful disinfectant, of the excreta. They should never be disposed of where they are liable to affect the population, either through the drinking water or through the access that flies may have to them, and they strongly recommend the process that I have provided in this Bill.

Hon. Mr. DAVID—Has the hon. gentleman found in the statutes of other countries a provision making it a criminal offence, if the Act is not observed?

Hon. Sir RICHARD SCOTT—We make it a criminal offence to throw a diseased animal into the river, and therefore, if a part of a diseased human being is thrown into a river, how much greater ought the crime to be. The same principle is carried out in our statutes.

The criminal law contains a provision similar to this. I was able to quote, on the second reading of the Bill, parallel cases exactly similar to these. You will observe from what I have read that the provincial board of health recommended disinfection, that there was no use trusting to the people to do it, it must be done by some official authority; and I think I mentioned just now that both the latest scientific authorities in England and United States recommended that as being the proper mode of destroying typhoid bacilli. Part of the Criminal Code provides that if you do anything that in anyway injures the health of another you are liable to be tried for it; anything that affects the health of another, without specifying the particular act. All the provisions concerning nuisances come under that clause. I do not know that there is anything more I can say on the subject. I went very fully into this matter on the second reading of the Bill, and do not choose to repeat what I then said; but the conclusion reached has been that it is only through the Parliament of Canada that we can check the spread of typhoid. It has prevailed more or less every year for the last thirty or forty years, more particularly since we have been relying on the rivers and lakes for our drinking water. It has prevailed pretty steadily in Toronto; Sarnia has recently had an outbreak; and Montreal has had it pretty constantly, so that the city is undertaking an expense of some millions of dollars to purify the water by the most approved methods, that is, by the reservoir system, and by sand filters. Many scien-

tists say, however that the bacilli are so insensible to the eye, even with the most powerful glass, that they are not visible, and that they sometimes pass through even the sand filter, and therefore the only way seemingly, to check it is by preventing their existence. They do not multiply in the river; they die within a limited time—I cannot place the number of weeks or days —but they do not propagate there, they propagate in the human body, in the alimentary canal, and they do not propagate in every individual, as evidenced by the fact that at the time the epidemic prevailed here, of all the persons who were drinking tap water up to a certain period, when the hypochloride treatment was adopted, only a certain percentage were attacked by typhoid. That was simply because their systems happened to be in better order. The human body would be immune to typhoid bacilli if it were kept in normal health. But so few people are in normal health, so many people have disturbed digestion—undigested food and fermenting food in the alimentary canal—that that is a nest for the bacilli, in which they multiply, up into the billions. There is only one way of dealing with them, that is by destroying them when they have left the human body.

Hon. Mr. THOMPSON—I have no fault to find with subclauses 'a,' 'b' and 'c,' in this first clause. A person committing any of those offences would be guilty of a misdemeanour, and I think might be charged under the Criminal Code; but typhoid might occur in many homes throughout the country, especially among poor people who might not know the nature of the disease for a week or two. It takes some little time before the nature of the disease can be diagnosed, and if it were proved that the excreta from such a patient had been disposed of otherwise than as this Bill provides, the people would be liable to punishment. It would be harsh treatment of individuals for a matter over which they would have no control. The Bill is too drastic.

Hon. Sir RICHARD SCOTT—The Bill makes provision that in any municipality where typhoid fever occurs, or has occurred within a year before the passing of this measure, this Act shall be published at least twelve times in a daily or weekly newspaper in or near the locality where such case occurred. It is a matter of inconvenience to one individual or the possible death of a thousand.

Hon. Mr. THOMPSON—Take the cases that occurred in Ottawa. Those people who suffered at that time would not know that they had typhoid for some time.

Hon. Sir RICHARD SCOTT—The law would scarcely operate until a case of typhoid was pronounced. Unless the law is severe it cannot be operative. Take the case which I mentioned at the second reading of this Bill, which occurred in the town of Plymouth, Penn., a few years ago. In that case over one thousand persons contracted typhoid fever because a typhoid patient had gone to a place a little above the town, and the excreta being thrown on the banks of the river the rain washed the germs into the river.

Hon. Mr. THOMPSON—But it is not right to make a man a criminal if he does not know that he has typhoid.

Hon. Sir RICHARD SCOTT—No judge would condemn a man if he did not know he had the disease.

Hon. Mr. WILSON—Will the hon. gentleman tell the House the difference between the symptoms of typhoid, malaria and chills and fever? It is a very serious matter to pronounce an innocent man a criminal and fine or imprison him when he does not know what is wrong with him.

Hon. Sir RICHARD SCOTT—If the hon. gentleman has read the Bill he will see that it contains the expression : 'knowing that person to have typhoid fever.'

Hon. Mr. POWER—Provision is made for the case of a doctor, but none for the case of a man who is not a doctor, and who could hardly be expected to know whether or not the disease is typhoid. I would suggest to the hon. member from Fredericton (Hon. Mr. Thompson) that his object would

be met if in line 21, on the first page, he would add these words: 'known to be such.' Then it would read: 'from a typhoid fever patient known to be such.'

Hon. Sir RICHARD SCOTT—The Bill makes provision for that; if a person does not know when he has typhoid he is not liable.

Hon. Mr. CLORAN—This Bill does not appeal to my sense of justice. Laws are passed very often without due consideration of their possible effect, and very often without regard to the responsibility of the men on the bench. This Bill creates a criminal offence, punishable by fine or imprisonment. The vast majority of families in Canada live in small houses, very often with little land attached thereto. If typhoid occurs under such conditions, what are they going to do with the excreta? If it is dumped any where the occupants of the premises are liable to punishment.

Hon. Sir RICHARD SCOTT—The health officer must make provision.

Hon. Mr. CLORAN—I am tired of hearing about the health officer. The vast majority of the people live in small houses with not ten feet square of land around them, and many of them without drainage. Where are they going to keep the excreta—in their trunks or in a wardrobe? This Bill is a fad—impracticable. It is all very well to enforce it against people who have ways and means to get rid of the excreta; but nine out of ten families have no other way to dispose of it except in drains or in sewers, or in their back yards. Let us pass laws that are sensible and reasonable, and which people can obey. The hon. gentleman has mentioned once or twice a case that occurred near Plymouth, Penn. It is all very well to tell the story; but I do not believe that the depositing of excreta in that case on the bank of the river was the cause of the outbreak of typhoid in the town. If the waters were anyway rapid they would carry away the germs. Take Montreal; Westmount is one of the most sanitary and best looked after municipalities in Canada, yet it has had typhoid cases by the dozen, when there were none in the lower part of the city. So the fact of depositing sewage in running streams does not appeal to me as a cause of the spreading of typhoid fever. This Bill is much in the same line as that relating to the pollution of streams. If that measure is going to pass, what will happen? The same thing that will happen under this. It is utterly impracticable, and at the same time undesirable. Sewage should be discharged into running rivers. Take the St. Lawrence. All the way down you have a current of six to ten miles an hour, and at Quebec sweeping tides. No amount of sewage discharged into that river will affect the public health. Take our lakes and streams throughout this vast Dominion, where there are but few residences along the banks. What is going to happen if you prevent people from dumping rubbish such as empty cans—because we know that empty cans are poisonous. The people along the shores of lakes and rivers dump bottles and cans and rubbish of all kinds into the river, and under this Bill that would be a criminal act. There is no sense in that. We know that in Canada, where the rush of waters is so violent in the spring, the river channels are washed out. I can understand that the discharging of sewage, or dumping of refuse into a river at or near the head of an intake pipe might prove disastrous to the people who have to use the water; but in a case of that kind it is up to the health officer of the district to see that nothing of the kind is done. During the past fifty years the Ottawa river has been filled with the worst kind of sewage and sawdust, but it did not destroy the health of the people living along the shores of the Ottawa, or of the people in the city of Ottawa. Of course I understand the object of the Bill is a very humane one, but it is a difficult measure to put in practice; it opens the way for a lot of vindictive prosecution between neighbours. A man with a grudge against his neighbour, seeing his servant girl dumping a pail of harmless material into the stream might inform on him and have him fined or sent to prison.

Hon. Mr. DAVID—I regret that I cannot approve of the first section of this Bill. I know very well that the promoter has

the best intentions in the world, and that he has prepared the Bill with the idea that he was doing a service to his country; but I cannot concur in the clause because I think it goes too far. The only feature of it which gives jurisdiction to this House in the matter is the fact that it makes a violation of this law a criminal offence; because the hon. member will admit that if that clause were not inserted in the Bill, this is a matter which is essentially of a local and provincial character.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DAVID—So that in order to give jurisdiction to this House it was necessary to insert the clause, making a violation of the provisions of this law a criminal offence. To bring a public work under the jurisdiction of the Federal Parliament, it was necessary to declare that such work was in the general interests of Canada. I have always held that it was a very dangerous clause and should always be considered with a great deal of care. So it is in this case; although it is true that we may, with such a clause, make a criminal offence in the case of a violation of this law, still we must not abuse that power, which is given to the federal parliament when we must admit that there is concurrent jurisdiction with the province and the Dominion the same as in the case of the manufacture and sale of bread. I contend that in this case there is no reason strong enough to induce me to think that the federal parliament should interfere. It is not the fact that the provincial legislatures of the provinces of this country have a right to do everything which is contained in this Bill? Nobody can deny that the legislatures have that right, and that they have exercised that right, and that in Ontario and Quebec especially, they have passed legislation to the same effect as this Bill, and going as far as this Bill, the only difference being that they do not inflict such a drastic penalty as imprisonment or penitentiary. I can very easily prove the truth of my assertion, to wit, that in Quebec as in Ontario, the Provincial Board of Health have all the powers necessary to pass such legislation as is required in such cases.

Hon. Mr. DAVID.

Sir RICHARD SCOTT—No.

Hon. Mr. DAVID—Yes. I will prove it. First let us look at the law in the province of Quebec. The Board of Health of that province—

> May make, amend, repeal and replace by-laws for the following purposes . . . to prevent as far as possible epidemic and contagious diseases of men and animals.

That is not all. Article 3895 reads as follows:

> Everything declared by the Board of Health or by the Municipal Council or its Board of Health to be a nuisance or to be injurious to public health shall be considered to be such.

Now, the Board of Health of the province of Quebec, in virtue of the powers given to them, passed by-laws, and in those by-laws I see the following section:

> Any pool, stagnant water, ditch, watercourse, urinal privy, water-closet, earth closet, drain, sewer, refuse, receptacle, cesspool badly constructed or in offensive state or injurious to health.

Article 3917 reads:

> Whenever the head of any household or of any establishment whatever ascertains that any person dwelling in his house or in the establishment or under his control has smallpox, varioloid, asiatic cholera, plague, typhus, diphtheria, croup, scarletina, typhoid fever, measles, tuberculosis, leprosy or any other disease which the Board of Health has designated by by-law, he shall within twenty-four hours notify the same to the municipal sanitary authority of the locality in which he resides or has his establishment.

Then I call attention to this clause:

> Every person obliged to give the notification required by articles 3917 and 3918 is liable, in case he neglects to give the same, to a fine not exceeding twenty dollars a day for each day during which such neglect lasts.

The municipal authorities are, therefore, obliged to act in accordance with this law,

> The municipal sanitary authority shall notify the Board of Health of the province by registered letter, to be deposited in the post office within the twenty-four hours after having been informed under the provisions of articles 3917, 3918 or otherwise.

So that when a contagious disease occurs, the legislature has provided everything required to prevent the spreading of the disease.

The law of 1907 provides in clause 23:

The isolation of a sick person with typhoid fever, although very desirable, is nevertheless not obligatory; but, the evacuation—fecal matters and urine—and the linen soiled with the same must be, at once, disinfected as described in schedule D.

Schedule 'D' reads as follows:

Burn the remains of the food which has been served to the patient or sprinkle them with a solution of carbolic acid and bicloride of mercury, or again sprinkle them with chloride of lime and bury them.

Hon. gentlemen will see that everything is done to disinfect, not only the house, but everything which may spread the disease. The only difference between that Act and this Bill is the penalty. If in the legislation passed by the different provinces of Canada we have everything required to prevent the spreading of the disease, with a severe penalty, why is this Bill necessary? The penalty under the present measure is very drastic, and I think we ought to have recourse to such a penalty only for very serious reasons. We should not go as far as that when we can attain the same object otherwise. I say it is almost cruel to impose such a penalty when it is evident that there will be perhaps hundreds or thousands of cases where the persons violating the law will not know that they are committing an offence which exposes them to a term in the penitentiary.

Hon. Sir RICHARD SCOTT—Whose duty is it to disinfect under that law?

Hon. Mr. DAVID—It is the duty of the municipality, and the owner of the house. I call attention to the last part of the section which provides that:

Every one is guilty of an indictable offence and liable to one year's imprisonment who endangers the lives or health of the public.

And so on, and one of the provisions is:

By making any other disposition of the excreta except as hereinbefore certified.

Clause 222b reads as follows:

222b. Every one is guilty of an indictable offence, and liable to one year's imprisonment, who,

(a) being a medical or other attendant upon any person, and knowing that person to have typhoid fever, fails or neglects to give notice immediately to the health-officer of, or to the mayor or other head officer of, the municipality in which that person is being attended, or was attended, that the person has typhoid fever; or, &c.

The 'other attendant' referred to may be a woman, who for charitable purposes has consented to look after the sick person, who may know nothing about the law, and who may neglect to give the notice required. Without knowing she is committing an offence, under this clause she renders herself liable to a term in penitentiary.

The subsection reads:

(b) Being such health officer, mayor or other head officer, and having received such notice fails or neglects to make promptly effectual arrangements to have the excreta, both solid and fluid, of such person treated with carbolic acid or such other disinfectant as will effectually destroy all bacilli and germs therein, and to have the said excreta after they have been disinfected, buried in the earth at least three feet below the surface of the ground and at least three hundred yards from any lake, river, pond, stream, drain, ditch, conduit, sewer or other waterway.

I contend that it is impossible to carry out the provisions of that clause, particularly the latter part. If that law were enforced in Montreal, the jail would be filled with people who never knew anything about the law. Thousands of families in Montreal would be utterly unable to do what is provided for in this clause. In Toronto, as well as in Montreal, there are hundreds of establishments, flats and other places, where there are no back yards, and in addition to that thousands of families live in houses where there are no grounds, and how could they possibly bury the excreta three hundred yards away? In Montreal, in the long stretch between Lachine and Long Point, where could we find a place to deposite excreta three hundred yards from any lake, river, pond, stream, drain, &c?

Hon. Sir RICHARD SCOTT—My hon. friend forgets that it is the municipality that pays the expense.

Hon. Mr. DAVID—I am not speaking only of the payment, but of the means by which the municipality or the individuals shall be able to comply with the law. The penalty does not fall upon the municipality. It is said here that all persons who violate this

law shall be subject to the penalty of imprisonment. By virtue of the last paragraph, it is the person himself who shall be guilty of the offence mentioned in this measure if he does not comply with its provisions. Under this Bill, municipalities will be obliged to provide special grounds or fields, like cemeteries. Perhaps we would call them typhoid fever fields or excreta fields, but where shall we find them? I hold that it is really very dangerous, unjust, unfair and severe to make it a criminal offence for a person to violate a law of this kind, which is impossible to put into execution. I move that the clause be struck out.

Hon. Mr. CHOQUETTE—I agree with all the hon. gentleman from Mille Iles has said. I consider this Bill not only impracticable, but barbarous, and I am sorry that a measure of this kind has been introduced. The promoter of the Bill has seen fit to bring it under the Criminal Code. All that is contained in this measure is already on the statute-books of the provinces, particularly in Ontario and Quebec. In order to satisfy the conscience of my hon. friend, who certainly means well, I tell him that the law is not only in force in Quebec, but there is a case now before the court to enforce the law, and to punish those who do not respect the law. On Monday last, my partner was going down to Montmagny to appear in certain actions which have been taken against municipalities and individuals who had not complied with the provisions of the law passed by the board of health of the province, which have just been read by my hon. friend. If this Bill becomes law, it will be a dead letter. Take the case proceeding in Montmagny.

If this proposed law were now in force, no doubt the lawyer on the other side would move to suspend or take proceedings before a justice of the peace against the man, and then there would be judgments in both cases and nothing would be done. It is regrettable when laws are on the statute-books of the province which are intra vires of the provincial legislature, that we should enact Dominion laws on the same subject, which are within our jurisdiction only because they are brought under the Criminal Code or declared to be in the general interest of Canada. This Bill ought to be killed here, and in order to do it now, I move that the Chairman do now leave the chair.

Hon. Mr. POWER—The proper motion is that the committee rise. That kills the Bill if the motion is carried.

Hon. Sir RICHARD SCOTT—This Bill was founded on section 222 of the Criminal Code, which reads as follows:

> Every one is guilty of an indictable offence and liable to one year's imprisonment or a fine who commits any common nuisance which endangers the lives, or health of the public or which occasions injury to the person of any individual.

This Bill is copied from that particular section. I am not going now to discuss the necessity for it. On the second reading of the Bill I gave the figures and showed that typhoid had been increasing for the last thirty years in Canada, and that in one period of that time it had doubled. I gave the facts that it prevailed in many parts of Canada—in Quebec, in Sorel, in Montreal, in Toronto, in Hamilton, Ottawa, and in all parts of Canada. The law that my hon. friend referred to cannot have been observed, but was absolutely ignored, because proper provision was not made for the cost of enforcing it, whereas this Bill provides that all expenses are paid by the municipality at fault. He will admit that typhoid has been increasing in the province of Quebec; and that the law has been absolutely ignored. The number of cases that I gave from the official records average about 600 a year in the province of Quebec alone. Those were all preventable; those deaths need not have occurred. If this Bill had been in force last year in the city of Ottawa, nearly one hundred deaths would not have occurred; and to throw out a Bill of that kind seems to me to show very little regard for human life. I pointed out where it is a criminal offence to throw the carcass of a diseased animal into water that may be used for drinking purposes. Persons are now allowed to throw a diseased part of the human body into the water, which is just on the same parallel. The two are similar in principle and in result. Of course hon.

gentlemen may think it is better to let typhoid continue to sweep away some of our best citizens year by year, although we could stop it by imitating what other countries are doing. I pointed out that in the state of New York a similar law prevails, and that in the last edition of the most scientific book we have, the Encyclopedia Britannica, published only last year, disinfection is shown to be the only possible means of checking and getting rid of it. Otherwise it is sure to spread. I should regret if the Senate throws out this Bill. It is, at all events, an effort to save human life. There are some amendments proposed, to which I have no objection if they do not interfere seriously with the Bill. The junior senator from Ottawa (Hon. Mr. Belcourt), I think, has some amendments that he wanted to propose.

Hon. Mr. BEIQUE—My first impression was rather favourable to the principle of the Bill. I think we are all agreed that every possible means should be taken to prevent contagious diseases. But on a careful examination of this Bill I have come to the conclusion that it is altogether unworkable, for the reason stated by the hon. member from Mille Iles. You will notice that under clause 1 of the Bill, which is now under consideration, it is made an offence if anybody does the things that are mentioned in that clause, 'which, endangers the lives or health of the public by emptying or depositing any excreta, whether solid or liquid, from a typhoid fever patient' into such and such things, except that it be at 300 yards; it must be at 300 yards.

Hon. Sir RICHARD SCOTT—But that is a very immaterial point. It could be changed there.

Hon. Mr. BEIQUE—I am not going to limit my criticism of the Bill to that, but I must commence with something.

Hon. Mr. WILSON—I understand there was a motion made that the committee rise, and since that hon. gentlemen are discussing the principle of the Bill. I would like to know from you, Mr. Speaker, what is before the Chair?

Hon. Sir RICHARD SCOTT—The hon. gentleman has the right to speak.

Hon. Mr. BEIQUE—I may say that it would be encumbent upon the persons who had the typhoid patient under their control to do all the things that are mentioned in that clause. In the last paragraph of it, we find the words, 'By making any other disposition of such excreta, except as hereinafter specified.' Now we have to look to see how it is 'hereinafter specified.' What do we find in the Bill? We find that it is the municipality whose duty it is to dispose of these things, and if the municipality does not do it, the owner of the house who has the patient on his premises, will be liable to go to jail, because there may be no possible provision for the disposal of the excreta. Therefore, I contend that the Bill is altogether unworkable.

The hon. gentleman from Halifax has suggested a proper way of amending the first clause in order to protect, in a certain measure, innocent parties who may be affected by the Bill. But there is a much larger objection to the Bill in the fact that it is not workable, from the nature of things. In large cities it would be impossible where there are drains everywhere to find places where excreta of that kind could be buried 300 yards from a sewer, or a certain depth in the ground. Thousands, and thousands of inhabitants would have to carry such excreta 15 or 20 miles away to comply with that provision.

Hon. Sir RICHARD SCOTT—That is a minor point which could be arranged any way you like.

Hon. Mr. BEIQUE—I gave a good deal of attention yesterday and to-day to this matter, and consulted the legislation in force in other countries, and I find that there is nothing of the kind in any country in the world, because of the nature of the subject. These things are left to be worked out, on account of the complexity of the subject, by the local authorities. As has been stated, there are in several provinces of the Dominion laws governing the matter; there are boards of health composed of medical men and experts who are entrust-

ed with making proper regulations to deal with a subject of this kind, and I think it should be left to them. I commend the good intention of the hon. member. It was well that the subject should be brought to the attention of this honourable House, but I fail to see that we can properly enact legislation of this kind. Therefore, I feel very reluctantly obliged to support the amendment to the amendment.

The committee divided on the amendment to the amendment, which was adopted. Contents, 12; non-contents, 9

The committee rose.

POLLUTION OF NAVIGABLE WATERS BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole, consideration of Bill (A) An Act respecting the Pollution of Navigable Waters.

On clause 3,

Hon. Mr. THOMPSON—I am not disposed to make any factious or determined opposition to the Bill, because I am not opposed to the principle of it, only I think it is a question whether it is good policy on the part of the Senate to urge matters of this kind as though we were more interested in the matter than the legislatures of the provinces. I doubt whether the Senate has a constitutional right to deal with the subject. An opinion has been expressed to me by one of the fathers of confederation, Sir Charles Tupper, that the only change he would make in the British North America Act would be to place health under the control of the federal parliament. I wish to quote the following from Bourinot:

> If any Bills are sent down from the Senate with clauses involving public expenditures, or public taxation, the Commons cannot accept them. Such Bills may be ordered to be laid aside. The same practice is also strictly carried out in the case of amendments made by the Senate to Commons Bills. Latterly, however, it is not always usual to lay such Bills immediately aside, but to send them back to the Senate with reasons for disagreeing to such amendments, so that the upper House may have an opportunity of withdrawing from them.

Then on page 628, Bourinot says:

> The House will not insist on the privilege claimed and exercised by them of laying aside Bills sent from the Senate because they impose pecuniary penalties: nor of laying aside amendments made by the Senate because they introduce into or alter pecuniary penalties; nor of laying aside amendments made by the Senate because they introduce into or alter pecuniary penalties in Bills sent to them by this House. Provided that all such penalties thereby imposed are only to punish or prevent crimes and offences, and do not tend to lay a burden on the subject, either as aid or supply to her Majesty, or for any general or special purposes, by rates, tolls, assessments or otherwise.

Now this Bill certainly imposes 'assessments and tolls' on the municipalities if it goes into force. If this is correct, the House of Commons could not deal with a measure that originated in the Senate, involving a question of taxation of the subject or tolls and assessments, and this Bill certainly does.

Hon. Mr. BELCOURT—What provision is there in the Bill of that nature?

Hon. Mr. THOMPSON—If this Bill went into force by proclamation of the Governor in Council, there is no doubt provision would have to be made by the municipalities, or districts or individuals—they would have to go to some expense to carry out the provisions of the Bill. For instance, take the case of a town discharging its sewage into a river; under proclamation of the Governor in Council it is prohibited from doing so and is put to expense thereby. There would have to be an assessment levied on the people.

Hon. Mr. BELCOURT—Does the hon. gentleman contend that the Bill is unconstitutional?

Hon. Mr. THOMPSON—I am contending that the Senate cannot deal with this Bill, according to Bourinot.

Hon. Mr. BELCOURT—But this is not taxation by the Parliament of Canada.

Hon. Mr. THOMPSON—Bourinot does not say the parliament of Canada. He simply speaks of a burden on the people.

Hon. Mr. BEIQUE—Nothing would prevent this House passing a law which would compel any municipality, or all municipalities, to bear certain expenses.

Hon. Mr. THOMPSON—I do not think we could.

Hon. Mr. BELCOURT—Did we not pass a law last year imposing on municipalities the obligation of maintaining guards at level crossings of railways? Are we not doing something of the kind every day in parliament?

Hon. Mr. POWER—We have devoted a good deal of time to this Bill and we do not seem to be making that rapid progress which is desirable. A good deal of the hostility to the Bill is due to the fact that, as drafted, it apparently provides that this rather drastic law shall go into operation over the whole country as soon as the Bill passes, and after that, the Governor in Council may issue a proclamation exempting certain portions of the country from the operation of the law. The hon. gentleman who introduced the Bill has considered the point, and has agreed to make what I think is a very important change in the latter part of the measure. The change may possibly influence the mind of hon. members in dealing with the earlier clauses of the Bill. As I understand, the promoter of the Bill is now prepared to substitute for clauses 8 and 9 of the Bill the following:

Sections 2 and 3 of this Act shall not go into operation as to any area, district or locality until a date to be appointed by the Governor in Council by proclamation published in the 'Canada Gazette,' and in such other way as may be deemed advisable. Such proclamation shall also describe clearly such area, district or locality.

The Bill has no effect whatever until the proclamation has been issued by the Governor in Council, making it applicable to some particular district. Then the subclause proposed is as follows:

2. The Governor in Council may from time to time, as he deems advisable, issue proclamations as aforesaid bringing such sections 2 and 3 into operation as to additional areas, districts and localities.

Hon. gentlemen will see that this amendment provides in the first place that the Act shall not immediately affect any district, and that afterwards it shall affect districts only as it is deemed advisable by the Governor in Council that they shall be brought under the operation of the law. It puts the responsibility and power of dealing with the matter in the hands of the Governor in Council, and I think that is where it ought to be.

Hon. Mr. BAIRD—Are the districts to have notice before this proclamation, and shall they have the privilege of a hearing before the proclamation is issued?

Hon. Mr. POWER—If my hon. friend will look at clause 4 of the Bill, he will see there that the Governor in Council is to make such regulations, &c., as are necessary to carry out the provisions of the Act and they would naturally provide that there should be notice.

Hon. Mr. BEIQUE—At the commencement of the sitting, I gave notice of an amendment which I said I would move when this Bill was considered in Committee of the Whole. The amendment is very much in the line of the suggestion made by the hon. member from Halifax. The wording which I had intended to suggest was this:

The proclamation mentioned in section 9 of this Act may be issued and revoked from time to time and may be restricted to such waters or part or parts of waters as the Governor in Council may deem advisable, and subject to such permits or restrictions as may be embodied in such proclamation.

This wording may be more flexible than the wording suggested by the hon. member, although it is on the same lines. There may be also this advantage: the hon. promoter of the Bill last year was afraid that the amendment which I suggested might raise the question of constitutionality, because it was dealing with territory, as the wording of the amendment of the hon. member from Halifax does. It is with a view of removing his objection on that score that I have used the wording, 'waters or parts of waters' in order not to speak of any territory. The Bill is limited to navigable waters, or other waters discharging into navigable rivers. I would suggest this for the consideration of the House.

The clause was adopted.

On clause 8,

Hon. Mr. POWER moved that clause 8 be struck out and the amendment he had read be adopted.

Hon. Mr. BELCOURT—Possibly the amendment of the hon. member from Halifax will meet with less objection on the part of any government called upon to enforce the Act. The amendment of my hon. friend pre-supposes that there is a sentiment expressed or known in the locality or district which would justify and possibly impose on the government the enforcement of the Act, and for that reason, I quite realize that the government of the day, whichever it may be, is not going to be very anxious about enforcing an Act of this kind. It is not going to be a vote-getting Bill, I am quite sure of that; but if there is a strong sentiment expressed in any particular area or district for the enforcement of the Act and the government is apprised of that, I think they will find less difficulty in carrying out its provisions than if the Bill were passed as I have it now, because as I have it the Act goes into force at a certain time. My hon. friend's amendment to the Act will only come in force from area to area and district to district as public opinion or the necessities of the case warrant. For that reason, I am quite prepared to accept the amendment of the hon. gentleman from Halifax in substitution for clauses 8 and 9. I think possibly it might meet the difficulty the government is going to find in carrying out the Act better than the amendment proposed by the hon. member from De Salaberry.

Hon. Mr. BEIQUE—The proclamation once issued would not be revoked. That might be an objection, and then, in the wording which I have suggested, there are these words, 'The proclamation .. .. may be made subject to such permits or restrictions as may be embodied in such proclamation.' It is much more flexible. Of course if the hon. gentleman is satisfied with the other—I am afraid it will defeat his object.

Hon. Mr. BELCOURT—May I make a suggestion to let the Bill stand over till next sitting and my hon. friend from De Salaberry and my hon. friend from Halifax will get together and see if we cannot embody everything that is put in both amendments, and perhaps meet the views all around. I move that the committee rise and report progress and ask leave to sit again to-morrow.

The motion was agreed to.

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

THE SENATE.

FRIDAY, February 9, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

WHALE FISHING ON BRITISH COLUMBIA COAST.

MOTION.

Hon. Mr. MACDONALD (British Columbia) moved:

That an order of the Senate do issue for a return showing the terms of lease to the whaling company or companies for whale fishing on the coast of British Columbia, giving the extent of sea over which exclusive rights are given, rent paid, and restriction as to close season, and all other particulars relating to this subject.

He said: This subject is one of the highest importance. Whale fishing in British Columbia has developed into an extensive business. Thousands of tons of oil are being shipped to Europe, and the by-products are shipped to California for fertilizing purposes. If the farmer of the Northwest could obtain these by-products they would be able to supply themselves with fertilizer for their land. I hope the hon. leader of the government in this House will see that the restrictions are properly enforced. I do not suppose that a superintendent is looking after it at the present time, and it is very doubtful if any one in the department knows anything about the close season for whales, or anything of that kind. Ships are going through to the Arctic on both sides, and if they catch three or four whales on a trip they are doing very well; but last year seven hundred whales were captured by these companies on the west

coast of British Columbia, which shows the volume of the work being done and the great trade resulting from it. Hon. gentlemen would be surprised if they could see the number of thousands of barrels of oil coming into port every month from the west coast of the island to be shipped to Europe.

The motion was agreed to.

FISHING RIGHTS IN FRESH WATERS.

MOTION.

Hon. Mr. MACDONALD (British Columbia) moved:

That an order of the Senate do issue for a return showing the term of lease by the government to a company giving rights to exclusive fishing in the fresh water lakes of the Dominion; with all conditions as to time, rent, sub-letting and close season, and any other information relating to this subject.

He said: Some years ago a lease was given to a company of the fishing rights in some of the great lakes of the Dominion. At that time it was thought a very improper thing that the settlers and people living in that part of the country should be deprived to a certain extent of fishing rights in those lakes, and that a company should be allowed to monopolize the fishing and make money out of it; and further, that the Montreal Company, who first secured those rights, should be allowed to sell them to United States companies. Foreign companies have been prosecuting their work in those waters. Whether they have been depleting the lakes of the fish which should belong to the country, I do not know, but it is one of the matters which the government should inquire into, and I hope they will do so.

The motion was agreed to.

THE NAVAL SERVICE.

INQUIRIES.

Hon. Mr. LAVERGNE inquired:

Is the government in a position to announce its policy in naval matters, if not, why has it provided in the estimates for an increased number of employees in the naval service.

Hon. Mr. LOUGHEED—The government is not in a position at present to announce its policy on naval matters. I am not in a position to answer my hon. friend as to any alleged increase of the number of employees provided for in the estimates. If he desires it, we will postpone the answer to the question and I will look into it further.

The question was allowed to stand.

Hon. Mr. LAVERGNE inquired:

Has the government decided to maintain the naval college which has been established at Halifax, N.S.?

Hon. Mr. LOUGHEED—It is the intention of the government to maintain the naval college until it brings down to parliament its policy on naval matters.

THE ROMAN CATHOLIC MINORITY IN THE TERRITORIES.

INQUIRY.

Hon. Mr. LAVERGNE inquired:

Does the government intend to allow the Roman Catholic minority in that part of the Northwest Territories which is to be annexed to Manitoba, the same rights and privileges which it enjoys in virtue of the Territories Act?

Hon. Mr. LOUGHEED—The government expects shortly to lay upon the table of parliament a Bill containing the proposed terms between the Dominion government and the province of Manitoba touching the extension of the boundaries of the province, and until that Bill is laid on the table of parliament, it would be manifestly improper to state what negotiations have taken place between the two governments.

Rt. Hon. Sir RICHARD CARTWRIGHT —Will the hon. gentleman state when we may expect the Bill?

Hon. Mr. LOUGHEED—At an early day.

Rt. Hon. Sir RICHARD CARTWRIGHT —Next week?

Hon. Mr. LOUGHEED—I cannot say whether it will be next week, but it will be soon.

Hon. Mr. CLORAN—The hon. gentleman from Drummond (Mr. Lavergne) has asked a simple question, which the government

should be prepared to answer. He wants to know whether people going into those territories will enjoy in the future the same rights that they enjoy to-day. The government should answer that yes or no. If the policy of the government is to be changed, it is time that the people should know it, and not have to wait until the Bill is laid on the table of parliament. I think it is a most important question and one that ought to be answered.

Hon. Sir MACKENZIE BOWELL—I call attention to the fact that the hon. gentleman is out of order.

Hon. Mr. CLORAN—I suppose the question is too ticklish for the hon. gentleman from Hastings.

SESSIONAL INDEMNITIES.

MOTION.

Hon. Mr. FORGET moved:

That the clerk of the Senate be authorized to prepare a statemnt showing the dates on which the hon. Messrs. A. E. Forget, J. M. Wilson and B. C. Prowse were summoned to the Senate; the dates on which they took their respective seats in the Senate Chamber during the last session of parliament, and the dates on which said session began and came to a close; also, whether any allowance was made to those members for their attendance at such session, and if not, what amount would have been allowed to them under the provisions of the Act intituled: 'An Act to amend the Senate and House of Commons Act,' which has this session been passed by both Houses of parliament.

He said: The object of getting this statement is simply for the purpose of carrying out the suggestion made by the hon. leader of the government when the Bill to amend the Senate and House of Commons Act was under discussion the other day. The suggestion made by the hon. gentleman is the best course for these gentlemen to obtain redress of their grievances.

The motion was agreed to.

BILLS INTRODUCED.

Bill (Q) An Act to incorporate the Universal Eyesight Insurance Company.—Hon. Mr. Mitchell.

Bill (R) An Act for the relief of Herbert Horsfal.—Hon. Mr. DeVeber.

Bill (S) An Act for the relief of Kenneth Molson.—Hon. Mr. Taylor.

ERIE, LONDON AND TILLSONBURG RAILWAY COMPANY BILL.

THIRD READING.

Hon. Mr. GIBSON moved the third reading of Bill (No. 12) An Act respecting the Erie, London and Tillsonburg Railway Company.

Hon. Mr. WILSON—Is this the Bill which has been before us for a number of years past? If so, has there been any work done upon the road and have we any guarantee that it will ultimately be constructed? This is a charter to construct a road from Port Burwell, north to Tillsonburg, where the line is to be divided into two branches, one running to London and the other to Woodstock. Has any money been expended on the construction of this line? The road would be a great benefit to Port Burwell, and the section in that locality, and I would gladly support the Bill if I thought it would really be constructed.

Hon. Mr. WATSON—The hon. gentleman from St. Thomas had better explain the scheme himself. He knows more about it.

Hon. Mr. GIBSON—I am not in a position to state whether any work has been done on the road or not. I found the Bill standing in my name and I do not know how I came to be connected with it. If that part of the country is opened up, no doubt it will be a benefit. This Bill asks for an extension, and if the company does not proceed with construction they will not obtain a renewal of their charter. Similar measures for extension of time have been passed in the Senate on many occasions.

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

THIRD READINGS.

Bill (No. 43) An Act respecting the Cap de la Madeleine Railway Company.—Hon. Mr. Montplaisir.

Bill (No. 45) An Act respecting La Compagnie Chemin de fer de Colonisation du Nord.—Hon. Mr. David.

Bill (No. 22) An Act respecting the Dominion Atlantic Railway Company.—Hon. Mr. Power.

Bill (No. 25) An Act respecting the Ottawa, Northern and Western Railway Company.—Hon. Mr. Belcourt.

Bill (No. 28) An Act respecting the West Ontario Pacific Railway Company.—Hon. Mr. McMullen.

Bill (No. 33) An Act respecting the Alberta Electric Railway Company, and to change its name to 'The Alberta Interurban Railway Company.—Hon. Mr. Talbot.

Bill (No. 34) An Act respecting the Algoma Eastern Railway Company—Hon. Mr. Watson.

Bill (No. 37) An Act respecting the Calgary and Fernie Railway Company.—Hon. Mr. Bostock.

Bill (No. 51) An Act respecting the Pacific and Atlantic Railway Company.—Hon. Mr. Watson.

Bill (H) An Act to incorporate the British Canadian Loan Company.—Hon. Mr. Ross, (Moosejaw).

Bill (No. 13) An Act to incorporate the Liverpool-Manitoba Assurance Company.—Hon. Mr. Dandurand.

Bill (No. 15) An Act to incorporate the Vancouver Life Assurance Company of Vancouver, B.C.—Hon. Mr. Bostock.

Bill (L) An Act for the relief of Edna Wells.—Hon. Mr. Ratz.

ARCHITECTURAL INSTITUTE OF CANADA BILL.

SECOND READING.

Hon. Mr. McSWEENEY, in the absence of Hon. Sir Lyman Jones, moved the second reading of Bill (No. 35) An Act respecting the Architectural Institute of Canada, and to change its name to 'The Royal Architectural Institute of Canada.'

Hon. Mr. ELLIS—Is there not some prohibition on the use of the word 'Royal?' There was something about it in the House last year, or the year before. One would like to know why the name is to be changed?

Hon. Mr. POWER—I am glad the hon. gentleman has called attention to the matter, because we did have a discussion last year with respect to the use of the word 'Royal' unless specially authorized, and I think the hon. gentleman who has moved the second reading of the Bill should be in a position to inform the House as to whether the royal consent to the use of the name has been obtained in this case.

Hon. Mr. McSWEENEY—I am sorry to say that I cannot tell whether it has been or not.

Hon. Mr. LOUGHEED—The question arose as to the Secretary of State issuing letters patent using the word 'Royal' or 'Imperial' without the consent of the Imperial authorities. It would not necessarily apply to parliament; at the same time I quite agree with my hon. friend from Halifax as to the undesirability of any private corporation taking to itself the term 'Royal' without obtaining permission.

Hon. Mr. YOUNG—The preamble of the Bill sets out:

> Whereas the Architectural Institute of Canada, hereinafter called 'the Institute,' was incorporated by chapter 82 of the statutes of 1908; and whereas, by special permission of His Excellency the Governor General, dated the second day of June, one thousand nine hundred and nine, his late Majesty, King Edward VII, was graciously pleased to grant permission to the Institute to adopt the prefix 'Royal.'

It would appear that they already had that permission.

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

SECOND READINGS.

Bill (No. 41) An Act respecting the Canadian Northern Quebec Railway Company.—Hon. Mr. Casgrain.

Bill (No. 71) An Act respecting a patent of the Spirella Company of Canada, Limited.—Hon. Mr. Farrell.

CONTINENTAL CAN COMPANY BILL.

SECOND READING.

Hon. Mr. BELL moved the second reading of Bill (M) An Act respecting certain patents of The Continental Can Company.

Hon. Mr. BOSTOCK—Can the hon. gentleman give us some explanation of this measure? We have had discussions in this Chamber on previous occasions in regard to renewals of patents, and I observe that there are conditions in this Bill which are peculiar.

Hon. Mr. BELL—The measure is for the purpose of overcoming the difficulty in complying with the provision that the patentees shall commence the manufacture of the article in two years. In this case the patent is for the manufacture of cans. It is impossible at present to manufacture these cans in Canada because the company cannot put them on the market. They do not know what size or shape of cans to make, and any expense they went to now would be lost to the company. They desire to have this clause suspended in that respect.

Hon. Mr. KERR—The policy of the House has been absolutely adverse to this practice. Having regard to the importance of patent rights, there has been altogether too much laxity in regard to renewals. Previously, if any person or corporation presented a Bill asking for relief, they obtained it, and when the attention of the House was called to the frequent evasions of the law by means of these applications, a different view was taken by the Senate with regard to such measures. There is a very large number of patents to which this very explanation which has been given to-day would apply, but the department absolutely refused to grant extensions. When these people apply to the department for an extension and it is refused, their patents practically lapse, because of non-manufacture in the Dominion, and it is open for anybody to manufacture the article. I do not say that I object to the second reading of the Bill, but when the matter comes before the committee for consideration it should be thoroughly investigated. If an extension is justice in this case, we have denied justice to a great many people.

Hon. Mr. BELL—I will endeavour to furnish a full explanation when the Bill goes to committee.

Hon. Sir MACKENZIE BOWELL—No reason is given why this company has not proceeded with the manufacture of the article. The preamble of the Bill asks for a renewal of their rights, the patentee having allowed them to lapse. There is no reason why they should have allowed them to lapse, and no reason why the time should be further extended merely to prevent people in Canada from manufacturing the article. I have been opposed to granting these extensions unless good reason is shown. It occurs too often. People from the United States secure a patent from Canada, and they allow it to run until it lapses, owing to the fact that there has been no particular market for the article in Canada during the time the patent has been in existence. Then, when an opportunity arises to commence the manufacture of such articles, they apply for a renewal of the patent, in order to cut out any Canadian industry that might undertake its manufacture. There may be good reasons why the manufacture of this article has not been proceeded with, but until the Senate is furnished with a reason I do not think we should deal too leniently with the application for this renewal, particularly as the policy in the United States is of a much more rigid character than that which prevails here. The moment a patent lapses in the United States owing to the non-fulfilment of the provisions of the law, they refuse pointedly to grant any concessions or renewals. They have pursued a similar course in England. A short time ago the British government annulled a large number of patents that had been granted, which created, I admit, a great deal of opposition and discontent in foreign countries, the patents having been obtained by foreigners who failed to carry out the provisions of the British law. The British government took a very strong stand upon that question. The result was the introduction of these manufactures into Great Britain, established with foreign capital by the holders of the patents. Unless good and sufficient reasons are given in each case for renewals I think it is about time Canada put a stop to all renewals of foreign patents.

Hon. Mr. ELLIS—I second the motion of my hon. friend, although I have often felt that these renewals should not be allowed. I do not know that I feel so strongly in the matter that I would vote against them. The law of Canada makes certain provisions in regard to patents, which should be rigidly observed in view of the importance of the whole matter.. I quite agree with the hon. gentleman from Hastings that very

good reason should be given before granting the extensions.

Hon. Mr. BAIRD—There is no doubt the Senate is acting more stringently now in regard to granting extensions of patents than was done formerly; at the same time I see no good reason why the measure should not be sent to the Private Bills Committee, where all the facts can be brought out.

The motion was agreed to.

POLLUTION OF NAVIGABLE WATERS BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BELCOURT moved that the House resume in Committee of the Whole consideration of Bill (A) An Act respecting the Pollution of Navigable Waters.

Hon. Mr. De BOUCHERVILLE—With so many members of the House absent, I think the Bill should be postponed until next week.

Hon. Mr. BELCOURT—I want to remind the House that yesterday the whole Bill was practically gone through and adopted, and was left over until to-day in order that the amendments proposed by the hon. gentlemen from Halifax (Hon. Mr. Power) and Mille Iles (Hon. Mr. David) might be made one and incorporated in the Bill.

Hon. Mr. De BOUCHERVILLE moved in amendment that the order of the day be postponed until Tuesday next.

The Senate divided on the amendment, which was rejected, contents 7, non-contents 10.

The House resolved itself into a Committee of the Whole on the Bill.

(In the Committee.)

Hon. Mr. BELCOURT—The hon. members from Mille Iles (Hon. Mr. David) and Halifax (Hon. Mr. Power) met with myself last night, and we decided to recommend that the committee strike out clause 9 and substitute the following in lieu thereof:

8. Sections 2 and 3 of this Act shall not come into operation as to any area, district or locality, until a date to be appointed by the Governor in Council by proclamation published in the *Canada Gazette* and in such other way as may be deemed advisable. Such proclamation shall also describe clearly such area district or locality.

2. The Governor in Council may from time to time as he deems advisable issue proclamations published as aforesaid bringing such sections 2 and 3 into operation as to additional areas, districts or localities.

3. Any proclamation issued under this Act may be revoked or amended from time to time, such revocation or amendment to be made known by proclamation published as aforesaid.

The amendment was agreed to.

Hon. Mr. De BOUCHERVILLE—How will this Bill affect people who are obliged to live during the whole season of navigation on board steamers?

Hon. Mr. BELCOURT—It would apply to them no doubt; but the minister who shall have charge of the administration of the Act will make regulations to prevent such people from being subjected to any hardship.

Hon. Mr. De BOUCHERVILLE—What effect will the Bill have on people who live on vessels plying betwen Montreal and Toronto?

Hon. Mr. BELCOURT—The Bill does not make any special provision for them; but, as I have said, I have not the slightest doubt the minister will provide for such cases in the regulations to be issued.

Hon. Mr. WATSON, from the committee, reported the Bill with an amendment, which was concurred in.

The Senate adjourned until three o'clock on Tuesday next.

THE SENATE.

TUESDAY, February 13, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

INTERCOLONIAL RAILWAY PENSIONS.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

The number of men who received pensions under the Provident Fund of the Intercol-

onial Railway of Canada for the year ending January 31, 1911 and 1912?

Also, the amount paid out for pensions under the said Provident Fund Act during the same period?

Also, the amount contributed by the employees, and the amount contributed by the government for the above date?

And also, the amount to the credit of the said fund on hand, with the names, occupation and present residence of those in receipt of pensions under the said Act for the same period.

Hon. Mr. LOUGHEED—I hold in my hand the information asked for by my hon. friend. It is too voluminous to inflict upon the House; therefore, I shall lay it on the table, where hon. gentlemen will have access to it.

The return was laid on the table.

TAXATION IN PROVINCES OF THE DOMINION.

MOTION.

Hon. Mr. EDWARDS moved:

For a committee of nine to examine into the incidence and demand of taxation in the several provinces of the Dominion, and also into the loss sustained by the failure to secure access to the markets of the United States, and the course of interprovincial trade. With power to send for persons and papers and to examine witnesses under oath and report from time to time.

Said committee to be composed of Hon. Messrs. Bostock, Young, Casgrain, Talbot, Kerr, Thompson, Bell, Baird and Taylor.

He said: I should like, with the permission of the House, to add that the committee be authorized to expend, for the foregoing and other purposes, sums of money, not exceeding on the whole one thousand dollars, and that they be empowered to employ stenographers. As is well known, various opinions are entertained throughout the Dominion as to the results to Canada consequent upon the reciprocity pact having been rejected by the people. It will be interesting, therefore, to ascertain, as far as possible, the effect upon Canada of the defeat of that agreement. It is also desired to ascertain the course of interprovincial trade between the various provinces comprising the Dominion. I think we will agree at once that it is highly desirable in the interests of Canada that the true situation, in regard to this matter should be ascertained, and there can be no better way of obtaining information than through a committee of this House. It has been suggested to me that the name of the Hon. Mr. Pope be added to the committee. He has resided in the west for a considerable time. My attention has also been called to the fact that my own name is not on the list, and that as I am making the motion I should take the responsibility. Therefore, I ask that the names of the Hon. Messrs. Gilmour, Pope and my own name be inserted in the motion.

Hon. Mr. MACDONALD (British Columbia)—I would suggest that the word 'gain' be inserted, so that the committee could ascertain what Canada has gained or lost as a result of the defeat of the reciprocity agreement, because many of us believe that Canada has gained by it.

Hon. Mr. EDWARDS—I have no objection.

The motion, as amended, was agreed to.

IMMIGRATION TO NORTHWEST PROVINCES.

INQUIRY.

Rt. Hon. Sir RICHARD CARTWRIGHT inquired:

1. What number of immigrants are supposed to have settled in the several provinces of Manitoba, Alberta, Saskatchewan and British Columbia, respectively, since taking of the recent census up to February 1, 1912.

2. What is the estimated population of the said provinces, respectively, on February 1, 1912, allowing for the natural increase and immigration as aforesaid?

3. What amount of revenue was collected from excise in each of the said provinces in the nine months from April 1, 1910, to January 1, 1911, and during same period from April 1, 1911, to January 1, 1912?

Hon. Mr. LOUGHEED—The answer to this question is somewhat voluminous, and with my right hon. friend's permission, I will lay it on the table. The report was as follows:

1. Emigrant arrivals from June 1, 1911 to January 31, 1912: Manitoba, 21,654; Saskatchewan, 22,571; Alberta, 23,814; British Columbia, 29,555.

2. Estimated population of the provinces of Manitoba, Alberta, Saskatchewan, and British Columbia, on February 1, 1912, based on the census population of 1901 and 1911: Manitoba, 475,000; Alberta, 420,000; Saskatchewan, 542,000; British Columbia, 413,000.

Collected on account of Excise Revenue during the nine months from April 1st to December 31st, 1910 and 1911, respectively.

1911-12.				Months.	1910-11.			
Manitoba.	Alberta.	Saskatchewan.	British Columbia.		Manitoba.	Alberta.	Saskatchewan.	British Columbia.
$ cts.	$ cts.	$ cts.	$ cts.		$ cts.	$ cts.	$ cts.	$ cts.
78,012 10	28,776 28	12.510 91	42,209 67	....April.....	66,261 82	25,883 80	9,726 61	41,741 45
77,356 88	36,351 06	12,021 94	81,281 70	....May.....	78,031 59	33,929 20	10,398 63	55,642 24
79,952 91	33,393 93	14,468 82	70,362 12	....June.....	73,187 00	31,646 65	12,921 36	57,929 86
89,814 09	44,034 19	14,894 14	77,058 15	....July.....	83,389 16	30,027 99	11,749 10	53,952 51
91,827 69	38,043 25	17,337 08	78,686 35	...August.....	81,764 09	36,778 74	12,539 52	97,340 67
110,741 01	38,634 76	20,017 64	67,418 90	....September.....	98,553 70	32,807 65	13,560 29	62,351 76
121,163 93	46,405 05	20,196 80	77,298 18	....October.....	106,204 78	37,244 73	17,710 27	60,263 97
130,064 71	49,152 57	26,284 49	83,747 17	.. November.....	102,402 85	42,071 66	16,396 25	68,572 30
129,134 38	51,300 22	25,832 84	80,791 81	... December.....	107,702 61	39,879 97	16,650 71	72,275 58
908,067 70	366,091 31	163,564 66	658,854 05	.....	797,497 60	310,270 39	121,652 74	570,070 34

IMMIGRANTS IN ONTARIO.

INQUIRY.

Rt. Hon. Sir RICHARD CARTWRIGHT inquired:

How many immigrants are supposed to have settled in Ontario, from the 1st April, 1910, to the 1st July, 1911?

Hon. Mr. LOUGHEED—The number of immigrants who have settled in Ontario is 444,190.

THE NAVAL POLICY OF THE GOVERNMENT.

Hon. Mr. CHOQUETTE—Before the orders of the day are called I wish to direct the attention of the hon. leader of this House to an interview which I have seen in Ottawa and Montreal papers. I hold in my hand a copy of the Montreal 'Star' of the 9th instant in which it is said:

Senator Lougheed, leader of the government in the Senate, stated that before the Bill comes up for a second reading it will be considered by the cabinet. He expressed the personal opinion, however, that the government could not consent to a private member initiating a measure affecting one of the largest questions of public policy before the country. It is unlikely that any strong element will rally to support of Senator Choquette, while it would also seem very improbable that the Naval Act will be repealed until the government has had time to fully consider an alternative policy.

The Bill referred to is the one which I had the honour to introduce, the Navy Repeal Bill. I think I may be permitted to ask the hon. the leader of this House if this interview is correct, and if it is true that the government is neither willing to leave this question to a private member nor ready to go on with it?

Hon. Mr. LOUGHEED—I would suggest to my hon. friend that inasmuch as his Bill appears on the order paper for a second reading to-day, and as we usually discuss the principle of a Bill upon the second reading, he should move his Bill as intimated, and then the matter can be discussed very much more advantageously than at the present moment.

An hon. SENATOR. Hear, hear.

Hon. Mr. LOUGHEED—I shall be very pleased to state to my hon. friend what the attitude of the government is upon the Bill.

Hon. Mr. CHOQUETTE—I should like to know if the interview is correct? There is no use discussing the question if the government has already decided not to allow a private member to go on.

Hon. Mr. LOUGHEED—The government cannot prevent my hon. friend from introducing the Bill and moving it, and carrying it through its various stages if this House supports him in so doing.

Hon. Mr. CHOQUETTE—That is not the question at all. I am merely anxious to know whether the interview reported is true or not? This comes officially from the leader of the government in this House and before going on with such an important Bill, I wish to know whether the government has decided not to let me go on with it?

Hon. Mr. LOUGHEED—I stated to my hon. friend that the government cannot prevent him from going on with his Bill. My hon. friend has a right to introduce a Bill and put it through its various stages, if the House will support him in so doing.

Hon. Mr. DANDURAND—I understood that the hon. gentleman was asking if the interview reported had taken place?

Hon. Mr. CHOQUETTE—That is what I am asking?

Hon. Mr. LOUGHEED—I am not bound to tell my hon. friend of any or all interviews that may take place between myself and others. I am prepared to tell what the policy of the government is upon this Bill when we reach it, and that should be sufficient.

Hon. Mr. CHOQUETTE—Is the Montreal 'Star' correct in printing that as a statement by the leader of the government here?

Hon. Mr. LOUGHEED—I have no answer to give my hon. friend on that question.

BILLS INTRODUCED.

Bill (T) An Act respecting the Rainy River Radial Company.—Hon. Mr. Watson.

Bill (U) An Act for the relief of James Denny.—Hon. Mr. Derbyshire.

SENATE APPOINTMENTS.

Hon. Mr. CLORAN—Before the orders of the day are called, I would like to ask the hon. leader of this House if the government is prepared to name the senators for the vacancies existing in Nova Scotia? Influential parties down in that province are very anxious to know when the government will fill the vacancies. Might I ask this upon the request of influential citizens of that province?

Hon. Mr. LOUGHEED—The subject is now under consideration by the government.

POLLUTION OF NAVIGABLE WATERS BILL.

THIRD READING.

Hon. Mr. POWER (in the absence of Senator Belcourt) moved the third reading of Bill (A) An Act respecting the Pollution of Navigable Waters.

Hon. Mr. DAVID—Has the amendment which was proposed been made in the Bill.

Hon. Mr. POWER—Yes.

Hon. Mr CLORAN—The third reading of this Bill involves a piece of legislation that affects a great many persons inside as well as outside of this chamber, and should not be put on the statute-book, notwithstanding its very humane and sanitary object

It covers ground which it will be very hard for the federal authority to supervise. It endeavours to prevent things which should not be done, and so far as it goes in that direction it is right; but there are many things that the Bill will prevent which can cause no contagion, and yet which will, if done, leave the individual or corporation doing them liable to heavy fines and punishments. I have every sympathy with the object the promoter of the Bill has in view, but this is a class of legislation very difficult of enforcement, and which, when enforced, creates much trouble. Under this Bill any individual, or corporation, on the shore of a lake or stream, or even of the wide St. Lawrence, who empties a pail of swill or any refuse or excreta into the water, even where the currents are swift, is liable under this measure to prosecution. Now, in a country like Canada, with its vast territories and numerous streams and bodies of water, such legislation ought not to be introduced at the present stage of our existence. We have rivers and lakes large enough to contain all the refuse that the inhabitants of the country could discharge into them, without danger of contagion to the people. Take the St. Lawrence, for example: it passes Three Rivers, down to Lake St. Peter, past Batiscan, Quebec, and other centres of population along the shores of the river. These places, with their present system of sewage and drainage, would be seriously affected if those districts should be proclaimed and they were obliged to change their system of drainage. It would put them to tremendous expense, useless expense, because Quebec and other cities and towns discharge their sewage into the great river which carries it into the gulf, where it cannot contaminate the water. The current is rapid. There is a tide of from eighteen to twenty-two feet running at from six to nine miles an hour, and the river is flushed twice every day. Furthermore, after you pass Quebec, at the island of New Orleans, you strike salt water which cannot be used as a beverage. Now, under this Bill, all the towns lying on the shores of the St. Lawrence will be affected and liable to prosecution. Then the means taken by the promoter of the Bill to put it into operation is objectionable. A law should be law irrespective of any petty officers of the government. Parliament ought to know what it is doing and not put the publication of a proclamation into the hands of any one or two petty officers in a department, no matter how well qualified they may be. It is a way of evading the law. Let the Act be of general application, or not at all. If you are going to make a law applicable to some and not to others, you make it invidious, and therefore tyrannical. This Bill is based on false principles: first, of administration, by allowing it to go into force only on the proclamation of the Governor General. What

does that mean? It means he gets a report from one or two officers of the department, and thereupon he signs the proclamation. That is the rule. Take our inland lakes, some of which are almost seas: the dumping of sewage into those great bodies of water cannot cause contamination to any extent, certainly not to any dangerous extent. Take our fishing lakes. Very few people dwell on the shores of those lakes, often not five inhabitants around a lake miles in extent. They are frequented by fishing and sporting clubs, and hundreds of families spend the summer months at such lakes all through the country. Their houses are necessarily built on the rocks, There is actually no soil, no earth anywhere in the neighbourhood. Where are they going to put their refuse and excreta where it will not be carried into the water?

They are not going to place it opposite their front or kitchen door. Any one who is acquainted with life on the lakes knows that the guardian fills the boat with refuse and takes it out in the lake and dumps it. Under the law, that man is liable to prosecution. That is an altogether unnecessary precaution. Some of these lakes are 150 to 200 feet deep, three or five or six miles long, and sometimes just as wide. We know that the cans which contain preserved goods are sometimes poisoned, and all this is dumped into the lake, and the people who dump them are liable to prosecution. I contend that this will be placing a hardship on all people who go to the lakes to spend a few days fishing or hunting. The clause of the Bill uses the expression 'dumping any refuse of any kind into any water running into any navigable streams.' That provision places this enactment outside the jurisdiction of parliament. We have no more right to interfere with the little streams, no matter whether they terminate in the St. Lawrence, the Ottawa or any other large river, than the man in the moon. It is ultra vires. There cannot be the slightest doubt that that clause interferes with provincial rights. Then another hardship will arise from the passions of men, jealousy, envy and vengeance. Take the case of a farmer who has a man or maid servant to whom he has given instructions to throw no refuse into a stream, navigable or not; perhaps that servant does it. He has a neighbour who is jealous of him, and that neighbour informs the health officer that such a thing is being done, and the innocent farmer is fined, and I understand that under the law he cannot even know the name of the informer, who is not supposed to appear at the trial. That is one of the incidents that will arise under the ordinary condition of things. On the whole, this Bill is useless from one point of view. It is unnecessary and creates hardships. What are you going to do in the case of our little streams where pleasure yachts and launches are running, or our large rivers on which the steamers run, on board of which there may be two or three thousand souls? Are you going to force those steamships to carry all their refuse to say Quebec and dump it on the hill of the citadel, or bring it up to Montreal? It is said that such a case can be provided for under this Bill. If so it would be invidious. Why should 4,000 Poles and Russians travelling up the river from Montreal have the right to dump their refuse into the river, and the farmers who are paying taxes to the province be prohibited from throwing a bucket full of refuse into the river? That is tyrannical. It strikes me that if this legislation passes there is a big thing in it for somebody. If I had a few hundred thousand dollars it would not be long before I had a company established to take charge of all the drains and sewers, &c., in the Dominion of Canada, and I would be a multi-millionaire in a few months. I would have influence enough to have as many districts proclaimed as I desired. Is there anything in that suggestion? Is there a company in readiness to take over the drainage system of Montreal and create a new plant? If there is nothing of that kind behind the Bill just now, there will be. I see danger, hardship and useless precautions on every side. The Bill might have properly provided that no municipality or corporation should allow the dumping of a drainage system at the head of a water service intake pipe. The outgo of a sewer system should not be tolerated within three or four or five miles from the head of an intake pipe. That would be a proper precaution and would be sufficient for pre-

sent purposes. I regret that the promoter of the Bill is not present. He made a statement the other day that impressed me very much. He said that if this House passed the Bill, the Dominion government would most likely take it up and make it a public matter. I should like to ask him a straightforward question. I doubt very much if the present government, under the circumstances, would have given him a guarantee or any kind of promise that such would be done. I am very sorry that I have to take this course, but I think it is my duty, on behalf of the various interests I have mentioned, to move that the Bill be not now read a third time, but that it be read a third time this day six months.

Hon. Mr. WILSON—I second the motion. I have no doubt the majority of senators present know which way I am liable to vote on this measure. While I have every respect for the promoter of the Bill in his desire to benefit the general public, I am apprehensive that the Bill would cause more friction and more injury than exists at the present time. We have no desire to injure any one and are desirous of doing what is for the general benefit of the public; but this Bill would not result in any benefit.

Can you enforce this law if it is enacted? Is there a possibility of making this law effective? I do not imagine that you can, nor do I think the government of the day is ready to place such a law upon the statute-books. I do not think the leader of the House would say he is in favour of this Bill passing parliament now. Should it be placed upon the statute-book it would interfere very materially with an important section of this community. Can we place a law of this kind upon the statute-book without interfering with the success of the farmers? I suppose that one of the most important objects of the farmers is to keep their lands in a fertile condition, in order that they may realize as large crops as possible. I do not see that they have not the right to enrich their lands by the use of any fertilizer that they may have within their control. But this Bill would prevent it, because it says that no one shall throw anything on lands that would affect streams running into navigable waters. If it is in any way polluting navigable waters then it is a crime, punishable by law. Are we prepared for that? Do hon. gentlemen feel that they would be justified in striking so severe a blow as that at the farming community? We know that all wealth and all prosperity come from the farmers and miners of the country; and this Bill would prevent the farmers from producing as large crops as they possibly can and benefiting themselves and the country. The resources of the farm are the greatest sources of prosperity of the Dominion. Some may ask: 'How the Bill will affect it?' It matters not how small a drain is, when the rains come they wash into the creeks, and from the larger streams into the navigable streams. You cannot place any fertilizer on the land that will not directly or indirectly affect the waters of the navigable streams of the country. It we could adopt any method to prevent that we might feel that it was the proper thing to do, but this is an impossibility. It is true that there are diseases, and it is also true that there will be diseases so long as the world lasts. Go wherever you may you will find diseases existing, typhoid fevers and diseases of various kinds, coming from the impurities of the water, from impurities of the atmosphere, and from other causes. If Bills of this kind are allowed to pass, we will next have some one trying to purify the atmosphere—the air that we breathe, because disease may be inhaled by the inhalation of the bacilli, or the microbes floating in the air. It is a fad. There is really not any benefit to be derived from a law of this kind. I believe there was an amendment made in Committee of the Whole that the Bill should not go into operation until a proclamation was issued by the government. Will that benefit the public? Will that prevent injustice being done? Will that prevent innocent men from being charged with a crime and being severely or heavily punished? I say no. On looking at the Bill to-day, I find the amendment has not been incorporated in it. The amendment proposed left it entirely in the hands of the government of the day to put the Act in force. But does the mover of that amendment provide that if it is once put in force

the provision may be repealed? I could not find that if it came into force there are means provided whereby it can be repealed whenever it was felt that it was no longer required. The senior member for Halifax (Hon. Mr. Power) had control of that amendment, and I would like to know from him if there is a clause providing means whereby, if the Bill becomes the law of the land, it can be repealed? As far as I can understand, once it becomes law it remains there unless the whole Act is repealed. It is true there was contamination of the waters of the Ottawa; we have contamination of the waters at Toronto and some other places, and the typhoid fever was imputed to that cause. We will have typhoid fever so long as there is animal matter in the water or in the land. The cause of typhoid is the deposit in water of vegetable and animal matter. You will have animal matter constantly in the ground; you will have angleworms and other impurities, and on the prairies, I understand, you will have any amount of decaying animal matter in the wells and other places there. That being the case, how are you to prevent it? Can you prevent a man from digging a well and throwing the excavation from the well upon the ground around him, because the rain will wash it into the stream? I am very much afraid indeed that the promoter did not consider all the difficulties raised by this Bill. Further, what are you going to do in reference to the navigation of our Great Lakes? Boats are plying every day during the season from one end of them to the other, and no doubt the water becomes more or less contaminated along their course. Will you interfere with trade and navigation in their case? You will have to do it if you interfere with the right of the citizens to throw waste matter into the water. Then, as to our right to legislate upon this matter, it is contended by some that we have jurisdiction. I really do not know. I understand that civil rights come directly within the power of the local legislatures, and they are the bodies to enact laws in reference to such matters. Have they not already enacted laws to protect the health of the citizens? Take, for instance, Toronto. There they have typhoid fever imputed to the pollution in the lake; the intake was too near the shore, and it caused that difficulty. Did they legislate? Yes. Provinces have laws upon their statute-books to prevent the spread of such diseases, and they are the authority to look after it; their officers are employed for that purpose; and if you have too many officials appointed to look after violations of the law you find that the law will be very poorly enforced.

What right has parliament to interfere in the proper jurisdiction of the local legislature? We are intruding too much on the prerogatives and rights of the local legislatures and I feel that we are not as competent to look after local interests as the provincial authorities are. That being the case, we should hesitate before multiplying crimes by enactments of this kind. There are enough crimes already; if we go on increasing the number we will reach a point where innocent people will be afraid to do anything lest they violate some law. Moreover, I do not see how we are to carry out this legislation in cases where there is joint jurisdiction. Take the great lakes for instance; on one side the jurisdiction is under the laws of the United States, on the other under Canadian laws. Can we compel the people of the neighbouring country to observe our laws? They have their own state laws designed to protect the health of the people, and so long as we are not fully satisfied that this matter comes under our jurisdiction we should hesitate before passing a law of this description. I feel very strongly that it is not in the interest of the general public that this measure should be placed on the statute-book. I feel that it should be held over until we are thoroughly satisfied that it is within our jurisdiction, and I am therefore opposed to the third reading of the Bill.

Hon. Mr. POWER—It is laid down in our rules, and of course it is the universal practice in parliamentary bodies, that objection to the principle of a measure shall be taken at the second reading. The speeches made by the hon. member from the Victoria division (Hon. Mr. Cloran) and the hon. member from St. Thomas (Hon. Mr. Wilson) would have been quite appropriate

if directed against the Bill at its second reading, but I do not think they are altogether in place at this stage. The Bill as introduced in this House first, was, if I may be allowed to say so, just a little bit crude. It was a Bill that did not seem to provide the machinery for bringing its provisions into operation in a satisfactory way, but the Bill was amended in Committee of the Whole, and I shall now ask my hon. friend from St. Thomas to listen to the amendments then made.

8. Sections 2 and 3 of this Act shall not come into operation as to any area, district or locality, until a date to be appointed by the Governor in Council by proclamation published in the 'Canada Gazette' and in such other way as may be deemed advisable. Such proclamation shall also describe clearly such area, district or locality.

That is to provide that no action can be taken under this Bill until the Governor in Council sees fit to take action. It is not at all probable that the Governor in Council will take hasty action. We all know that governments are influenced by a strong desire to meet the views of their constituents, and if there is any strong sentiment in any district against being brought under the provisions of this measure, we are perfectly safe in saying that the Governor General will not bring the Act into operation as to that district. That is the first point. Then the second subclause goes on:

2. The Governor in Council may from time to time as he deems advisable issue proclamations published as aforesaid bringing such sections 2 and 3 into operation as to additional areas, districts or localities.

It just provides for the modus operandi of the Bill that is, as one district after another is satisfied to put this law in operation, the Governor in Council will publish a proclamation and the law will go into operation. I wish particularly to direct the attention of the hon. member from St. Thomas to the third subclause:

3. Any proclamation issued under this Act may be revoked or amended from time to time, such revocation or amendment to be made known by proclamation published as aforesaid.

The hon. gentleman stated that there was no means afforded of getting rid of the Act after it came into operation. I think it is a pity the hon. gentleman had not read the amendment made when the Bill was in Committee of the Whole. I am reading from last Friday's 'Minutes.' I did not rise to reply to these two hon. gentlemen, but simply to call the attention of the House, as there are some members present who were not here on Friday, to the exact wording of the Bill as it is now before us. It can do no harm whatever now.

Hon. Mr. De VEBER—I did not think any argument was necessary to show the House the necessity for such legislation. This is the third year we have had practically the same Bill before us. Three years ago, the Bill was introduced by the hon. gentleman from Ottawa, (Hon. Mr. Belcourt). It passed the second reading. It was referred to the Committee on Public Health and Inspection of Food, of which I happened to be chairman, and on our recommendation was referred to the Conservation Commission. They considered its provisions and were favourably impressed with it, and last session the Bill was reintroduced by the hon. gentleman, passed this House, and owing to the way it was retarded in the Senate it reached the other House too late to have any action taken upon it. I wish to take note of one or two arguments that have been made, which show the total ignorance of some people in speaking on questions such as this—arguments that might have been effective fifty years ago, are now advanced against this Bill. My hon. friend lays great stress upon the hardship there will be on the few people who go out for the summer and camp, or have boat-houses upon the lakes, who wish to keep their lawns clean and free from rubbish, who throw cans and every rubbish into the lake. He says it will not do any harm. Let me illustrate in the case of New York. Some years ago, New York determined upon having a pure water system. They bought the Croton Lakes and very nearly all the watershed in connection therewith. They got a beautiful supply of perfectly pure water. I may say that in New York, and all the large cities, the water is tested almost every day to see if it is being contaminated. They found after a few years that the water in New York was contaminated, They found that some of these people who were camping on Cro-

ton Lake were throwing refuse into the water. The result was, the people of New York had to spend a few millions more to acquire the whole watershed of the streams emptying into the lake. My hon. friend lays stress upon the fact that under this Bill the names of informers are not known. I happen to be the health officer in the city in which I live, and I welcome anybody who gives me information, whether he gives me his name or not. If any man, woman or child tells me that he thinks there is scarlet fever or diphtheria in such a house, not reported, I do not care what his name is, I go at once and find out, and if I find that the disease exists, have the people fined for breaking the law. Instead of being a hardship upon people, I think the informer should be encouraged in every way to lay information before the proper officer that the laws are being broken. Upon the information being furnished, the proper officer visits the place to see if the law is broken. Of course if the law is not being broken, the man is not disturbed; but if the law is being violated, he is brought before the proper official. The hon. gentleman speaks of the large steamers carrying thousands of people upon the great lakes. Surely the companies which own the large steamers, who are making lots of money and declaring large dividends, can provide a remedy? Western Canada is known as the wild and woolly west; but I can assure my hon. friend that years ago, before we had any such thing as sewers, many people in the west, in preference to having outside privies, had crematories put in their houses, and once a week burned all refuse on the premises. Surely the large companies paying big dividends can have crematories that would burn the refuse every twenty-four hours? My hon. friend says the waters of Canada are so large, and the country so vast that there is no necessity for such legislation. Surely the hon. gentleman could not find a greater amount of water coming down any river, or any other river that afforded such a fine example of aeration as the Niagara Falls, which, some people contend, kills all the typhoid germs, yet the scientists sent by the government to the Niagara river to test the water below the falls have never yet been able to get a sample out of that river that was not full of bacilli. Another hon. gentleman makes the statement that the cause of typhoid fever is decomposed animal and vegetable matter. I daresay that that statement might have been accepted forty or fifty years ago; but I do not think it will hold good to-day, because if typhoid fever does not come from decomposed animal and vegetable matter, you can have water that is so putrid and so unpleasant to the senses that you could not drink it and yet be perfectly free from typhoid, which is caused by the typhoid bacilli and nothing else. Its favourite habitation is in the intestines of the human being, and from the excreta of the human being these bacilli increasing by the million, are emitted and consequently get into the streams, and people swallow them in drinking water and get typhoid fever. As to the constitutionality of the Bill, although every province in Canada has laws on this subject, some of them very strong, and some of them not quite so strong, the trouble is they are not enforced. By placing this law upon the statute-book it will as it were back the provinces up, and perhaps push them forward in carrying out their own laws as they should.

The amendment was lost.

The motion for the third reading of the Bill was carried, and the Bill was read a third time and passed.

INQUIRIES ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (No. 19) An Act to Amend the Inquiries Act.

(In the Committee.)

On section 12,

The commissioners may allow any person whose conduct is being investigated under this Act, and shall allow any person against whom any charge is made in the course of such investigation, to be represented by counsel.

Hon. Mr. KERR—I move that section 12 be amended by adding thereto the following:

No report shall be made against any person until reasonable notice shall have been given to him of the charge of misconduct alleged

against him and he shall have been allowed full opportunity to be heard in person or by counsel.

I should like to know whether the hon. gentleman who leads the government is opposed to this amendment, or whether it is necessary to say anything in support of it?

Hon. Mr. LOUGHEED—It occurred to me that section 12 would be sufficiently wide to permit such protection being given to any person whose conduct was being investigated as to insure him having a fair investigation. I must confess I do not see very much difference between clause 12 and the section suggested by my hon. friend.

Hon. Mr. KERR—That would depend entirely upon the interpretation put upon this by the commissioner, and the commissioners might take the view that the statute just left the matter as expressed by the form of words in the section. I think there should be an express enactment providing that any person against whom a charge is made shall have full opportunity to be heard in person or by counsel.

Hon. Mr. LOUGHEED—This clause is even wider than the proposed amendment. The first part of the clause gives power to the commissioner and the second part of the clause makes it obligatory upon the commissioner to permit the person whose conduct is being investigated to be represented by counsel. It is not a permissive clause, so far as the permission is concerned, but it is obligatory upon them that they shall do it.

Hon. Mr. KERR—In the first place, there is no notice given to him.

Hon. Mr. DANDURAND—The difficulty to my mind would be in the application of that clause. The clause reads:

> The commissioners shall allow any person against whom any charge is made in the course of such investigation to be represented by counsel.

Could the word 'allow' not be interpreted as giving the facility to one whose name may have been mentioned in some evidence to claim the right to be heard, and to be heard by counsel, while if notice of any kind of accusation of the charge is not brought to his knowledge, then the report could be made against one or many persons whose names would have been mentioned unknown to themselves. In other words, under this clause would the commissioners feel that they are obliged to notify the party against whom they would be likely to report, of the charge or accusation brought against him, or if there is simply the right of any one, knowing he is accused, of appearing and claiming the right to be heard personally or by counsel. That is my difficulty.

Hon. Mr. POWER—Some amendment is really necessary in this subclause 12, which appears to divide these cases into two classes. First, there is the class of persons whose conduct is under investigation. An officer, for instance, is charged with offensive partisanship, and as to that case the clause simply says the commissioners may allow such officer to be represented by counsel. Then there is the other case of a party whose conduct has been brought under notice at the investigation, who has had no notice that his case is coming up, and he has a right to be represented by counsel. I do not think that there is any justification for such a diversity of treatment in the case of the two parties. If these inquiries were conducted before a tribunal composed of independent, non-partisan men, of judicial mind, then probably it would not be necessary that there should be any counsel whatever.

Hon. Mr. LOUGHEED—I quite concede the right of any person whose conduct is being investigated—and the government feel that that is the case—to be represented by counsel, so there is no necessity for discussing the policy of it.

Hon. Mr. POWER—It is very satisfactory to know that the hon. gentleman takes that view of the question; but when this Bill becomes an Act, and is put in operation, one has to consider how the commissioners will look at it. I am not going to dilate on the personnel of one of the commissions which has been appointed, but that commission is the very reverse of judicial in its character, and I am perfectly satisfied that, in probably nine cases out

of ten, that commission would not allow an official accused of offensive partisanship to be represented by counsel. Consequently, this House which, to a certain extent, has those officers under its protection, should regard it as one of its duties to see that they get fair play and should make some provision to prevent a man being convicted without, really, a proper hearing. I think the amendment is necessary.

Hon. Mr. KERR—What I had in mind was this: in the first place, no report should be made; the evidence should be heard, and if there is anything calling for an explanation about it, then the person who is named, and who might not have been present at the investigation, or know what the evidence was, should have reasonable notice of the charge against him. That is the first point; and, secondly, that he should have an opportunity of being heard in person, or by counsel. Hearing, of course, implies that he should be at liberty to offer any evidence. It is the right to be heard that gives him an opportunity, not only of making his own statement, but of substantiating that by evidence he may choose to offer. We know perfectly well that it involves an explanation. Well, the Act as it stands at present does not authorize or prescribe that there shall be an opportunity given him to make that explanation; and in justice to any person who may be accused, or whose conduct may be investigated, I think it is right that he should have an opportunity and reasonable notice so that he might produce evidence if he wants to be heard, either in person or by counsel.

Hon. Mr. LOUGHEED—If there be any doubt about the matter, I am quite satisfied that there should be the fullest recognition of the principle, which we quite readily accede to, that any person whose conduct is being investigated shall have an opportunity to be properly represented before the commission, no matter what commission it may be, and if it is the opinion of the House that this amendment will better safeguard the rights of persons so involved, I have no hesitation in yielding to the suggestion of my hon. friend.

An hon. SENATOR. Hear, hear.

The motion was agreed to, and the amendment was incorporated as subsection 'B' of clause 12.

Hon. Mr. KERR—I would now propose as another subsection that:

> Every commissioner whether appointed under part I or under part II of this Act, and every person engaged as accountant, engineer, technical adviser or other expert under the provisions of this Act, shall be incapable of being appointed to or holding office, place or employment in the nomination, gift or control of the Crown or of the Governor General of Canada until after the expiration of five years after this report of such commissioner shall have been made.

The object of this, as will be seen, is to provide that the tribunal is an absolutely impartial one. It may not be within the power of the government to know, in appointing a commissioner, whether he is or is not either then or subsequently to become an applicant for a position under the Crown. That would be a matter perhaps in the mind of the commissioners alone; but I think it would be a monstrous thing that men should assume this duty and undertake the investigation of the conduct of officers under the Crown, doing so at the same time with a view of preparing themselves for occupying perhaps the position of a person whose conduct they are investigating, or any other position of honour or trust under the Crown. Men should not be appointed for this duty who are applicants for positions. Men should not accept these appointments who are going to be applicants for positions. They should not, in other words, be showing their qualification by discovering and reporting with reference to the conduct of those whose places they want to fill. No confidence can be placed in a commission unless it is free. Now, here are a number of persons who may be appointed, the original commissioners; after that those original commissioners may appoint accountants, engineers, technical advisers or other experts, and those gentlemen are clothed with the same authority as the commissioners themselves, and may, therefore, have the power of investigating, of drawing and reporting on their own conclusions —in other words of creating the ground work for a dismissal or a vacancy in order that they may themselves become appli-

cants for the positions upon which they are reporting. Everybody will agree that that would be a monstrous state of affairs, and that this amendment is providing only that such persons cannot accept office until after a period which, for the purpose of bringing the matter before the House, I have named as five years. I move, therefore, the addition of these words to subsection 'C' of the Bill.

Hon. Mr. DANDURAND—I draw the attention of my hon. friend to what appears to be going further than he seems to be desirous of covering. The hon. gentleman wants to insure perfect impartiality on the part of the commissioners, and I think his draft amendment would disqualify a judge from being appointed as commissioner, as I read it. It says: 'Every commissioner whether appointed . . . . . shall be incapable of being appointed to or holding any office, &c. I wonder if the words (holding any office) would not affect the office of a judge who would be appointed to act as commissioner?

Hon. Mr. KERR—I think perhaps it would.

Hon. Mr. LOUGHEED—I may say that under no consideration could the government accept this amendment, or in any way accept the principle intimated by my hon. friend, in placing any restriction upon the commissioners who should be appointed. Of course it is within the judgment of this House to amend this Bill, or to destroy it if they think fit. My hon. friend urges the element of impartiality as the principle at which he aims. Surely under the principles of responsible government the Cabinet is charged with the selection of whomsoever they may appoint for the carrying out of every duty or obligation which by statute or otherwise may be placed upon such commission. Starting at the judiciary, we select from the most advanced partisans all our judges. During the administration of the late government, extending over some fifteen years, outside of three or four exceptions, the higher judiciary of Canada has undergone a change, from the Supreme Court down to the Superior Court; and scarcely in the Dominion of Canada will be found an appointment to the Bench that was not made from the partisan ranks of the government. That was so with the late government; it is so with most governments. I am not saying that a selection from partisans destroys in any way or lessens the confidence which the public have in the administration of justice, or the sense of obligation which will animate any official who may be called upon to discharge the duties of this office. Does my hon. friend think, after making this suggestion, that under the political system by which we carry on government he will ever arrive at the point of having non-partisans appointed to discharge the various duties of state? He surely must look for an earlier approach of the millenium than most of us would expect. Now, we have to be practical in this thing. The government is charged with the proper selection of officers for the purpose of carrying out the duties of the state, no matter what those duties may be, and they are responsible to the people. So long as we have government by the people and for the people, we must take the risk of a variable administration of law. We cannot by any safeguards with which we may surround the statute be able to select men from whose minds we know will be eliminated all political prejudices; that is utterly impossible. We must accept the institutions under which we live, and which we administer by government and for which the government of the day is responsible to the people. We have upon our statute-book now a law dealing with inquiries. It has been on the statute-book for many years. It was under this statute or a similar statute preceding it, that the government appointed its commissions, and made inquiry into public and departmental matters. That policy has been accepted for years and years. If public inquiry is in the public interest, then the duty of parliament is to make that machinery as efficient as it can possibly be. What is the object of the government in bringing down this Bill? It is for the purpose of widening the powers of a commission with a view to economy—economy in money and economy in time. The object is, and it is quite recognized, that extending over the length and breadth of Canada it is utterly impossible for one com-

mission, within a reasonable time, to make proper investigation into the various matters that may come before it; and, consequently, parliament asked that authority be given to that commission to enable them to delegate their powers to experts, to accountants and to others, for the purpose of facilitating the object which we all have in view, of investigating whatever public abuses may come within the jurisdiction or the authority of that commissioner. Now, what is the object of my hon. friend in moving this amendment? It is to destroy the machinery of this commission. I say it unhesitatingly. Does any reasonable man think that men could be so selected for the making of an investigation into the many public abuses which grow up under any government, and have those commissioners handicapped by disability, by disqualification, from holding any office within the gift of the Crown for five years? It is monstrous. Can one suppose for one moment that any efficiency could be given to such a commission under a disability of this character? Since confederation down to the present time I am not aware of any such a suggestion having been made. Certainly no such suggestion, or no such principle, has ever been embodied in a statute. The only thing approaching to it that I know of is the principle which was advocated by a member of the late government who is at present occupying the position of Chief Justice of one of the divisions of the High Court of Justice in Ontario, who strongly urged that no member of parliament should be permitted to accept an office from the Crown until one year had elapsed after he had been a member of parliament; and that gentleman, who declared in the most stentorian tones that this principle should be embodied into our legislation, took an office within the gift of the Crown and went directly from the House of Commons to the Bench. That is the only occasion within my memory, and within my knowledge that a principle of this kind has ever been advocated. But what does my hon friend propose to do? He proposes in this amendment to disqualify the judge who has been taken from the bench to conduct a commission, from returning to the bench. He proposes to disqualify any accountant, any engineer, any technical adviser or any expert who may be called by the commission under order in council, from holding office within the gift of the Crown for a period of five years from the time of making the report. Now what good can be accomplished by such an amendment? I ask my hon. friend if he for one moment thinks it would result in such a commission making an impartial report? If there is anything calculated to arouse vindictiveness in the human mind it would be this very proposition urged by my hon. friend. If any commissioner with a disability facing him such as we have in this notice of motion should accept office, facing the responsibility which attaches to it or the disqualification which attaches to it, he certainly might be relied upon to make the most vindictive report that a commissionr could make. It is not calculated to carry out the object which my hon. friend states he has in view, but quite the opposite. Why is this being done? As I say, the object is to destroy the usefulness of this commission. Surely we will all, on both sides of this House, join hands in agreeing and concluding that investigation into public abuses is a very wise policy, and should be carried out to whatever extreme end such a system can be pursued. I know very well, and my hon. friends on the opposite side of the House know, that no matter what government may administer the affairs of this country, that government will have engrafted upon its administrative system certain abuses, and those abuses, through a long course of years, will be increased. It is absolutely necessary that there should be on the statute-book complete machinery for the purpose of conducting most thorough investigation into and suppressing such abuses. Going back a short time, will my hon. friends opposite say it is not desirable that a most effective investigation should be made into the scandals which were exposed not long ago in the Printing Bureau? I am satisfied that every Liberal gentleman, who is patriotic and desires to see the institutions of his country placed on the highest pedestal of public confidence,

will assent to the proposition that where an abuse exists in a public department, or outside of it, the most effective machinery should be set in motion for the purpose of throwing upon it the light of day. I think both sides of politics agree upon the desirability of having that condition of affairs. Any other would not be patriotic and would not reflect credit upon this country. We are agreed upon the existence of abuses and the necessity of investigation, because under all governments such abuses exist. Hon. gentlemen opposite will recall the abuses which crept into the government that preceded the late administration, when the most rigid and drastic inquiry was made resulting in the government of that day punishing some of their supporters.

Rt. Hon. Sir RICHARD CARTWRIGHT —An investigation by whom?

Hon. Mr. LOUGHEED—By parliament.

Rt. Hon. Sir RICHARD CARTWRIGHT —Exactly.

Hon. Mr. LOUGHEED—I will say this, it resulted in the government of that day prosecuting criminally their own friends, and imposing very severe penalties upon them. I was pointing out that those abuses will arise under any administration, and that it is desirable to provide the most effective machinery for their investigation. So far as the selection of the men constituting those commissions is concerned, we have to rely upon the political sympathisers of the party which may be administering the government of the day. That is the most natural thing in the world. We have not yet arrived at the point when this government is going to select its adversaries to constitute a commission for the purpose of inquiring into such abuses as those which I have mentioned. I do not believe that in the history of Canada since confederation there has been a commission with the obligations thrown upon them incident to such a condition, that did not try to properly carry out its duty, and although my hon. friends may attack one or two members of the commission referred to, I am satisfied that the duties which fall upon those gentlemen will be performed with fidelity, as such duties have been discharged by previous commissioners. I have not heard any charge brought against those gentlemen other than that they were attached to a certain political party. If that is going to be a disability in the appointing of commissioners, of judges and of the higher officers to discharge the duties of state, it certainly imports a new principle into our political system. I simply point out these matters to impress upon my hon. friend, if I can possibly succeed in doing so, that the object he has in view will certainly not be attained in the way he proposes, and that the government will not accept his proposition. True, the Senate may amend the Bill and succeed in attaching these clauses to it, but I simply point out that the government will not accept a Bill so amended as to destroy its usefulness and efficiency. Under the statute which we are now amending we can make the fullest investigation and inquiry, only it will involve other commissions being appointed. I ask hon. gentlemen to keep that in view, that the statute, as we have it now, will permit the fullest investigation being made, but not as economically or speedily as it could be made with this amendment to the law. However, the object we have in view by the Bill now before us is for the purpose of advancing economy, so far as we can, and for the purpose of accelerating the discharge of the duties of these commissioners. The amendments proposed by hon. gentlemen opposite will only involve multiplying commissions in order to attain the object of this Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT —If economy is the object my hon. friend has in view, I very much fear that he is taking a most extraordinary method of enforcing it; but of that I shall say something further on. When this matter was first brought before the House I called attention to the fact—and the fact is worth calling attention to—that these propositions are to a great extent equivalent to requiring that men who have been accusing the late government of all sorts of crimes and misdemeanours should be appointed judges to make good the accusations they themselves have brought. Here is something, as my hon. friend has said all through, equivalent to a judicial in-

quiry. He pointed out that judges are usually appointed from the partisans of each party, which is perfectly true; but he keeps out of sight altogether the fact that once these men are appointed, they are, by law, by custom, and by reason of the fact that they sat before a vigilant bar and their decisions are subject to revision by higher courts, including courts as high as the Privy Council—as far as possible, removed from all temptation to partiality. That is directly the opposite of the case of those commissioners. So far from being removed from all temptation to make an improper report, there is not the slightest doubt that a very considerable number of them do expect—in fact some of them have openly stated, I am informed—that after they have performed what they are pleased to call their duty, in the way of exposing the misconduct of the late government or their officials, they will be taken care of by their friends.

Hon. Mr. LOUGHEED—If the hon. gentleman will give me the source of his information I will be glad to make inquiry as to whether it is correct.

Rt. Hon. Sir RICHARD CARTWRIGHT—He has appointed so many of these gentlemen, and some of them have been so indiscreet, it is not a matter of surprise if some of them make curious statements from time to time. What are the government proposing to do? To appoint certain bitter political partisans, our opponents, who have spent years, possibly their whole political lifetime, in denouncing the late government from one end of the country to the other. They are offering these men large salaries, larger salaries, I believe, in most cases, than they would be able to earn by the exercise of honest industry, and all we ask is that they should not be eligible for future rewards besides the very abundant recompense they will get from delving and finding, or may be inventing, scandals against their predecessors. Now, just let me ask my hon. friend this—does he, on his honour and conscience, think that defeated candidates are the safest persons to be put in a judicial position to try their political opponents? I ask hon. gentlemen here, who have been through a good many elections at different times, if there be any sorer man than another is it not a defeated candidate? If there is one man on the face of the earth who goes back from a contest of that kind more likely than another to desire to be avenged, if he can get an opportunity, it is a defeated political candidate, and, nevertheless, in the case of the chief of these commissioners to be appointed the majority is composed, I believe, of defeated candidates.

Hon. Mr. LOUGHEED—That is hard on a great number of hon. gentlemen in this Senate.

Rt. Hon. Sir RICHARD CARTWRIGHT—Judging from recent appointments I think that my hon. friend is not altogether innocent in that regard. My hon. friend is a lawyer; at all events, I have noticed in him a good aptitude in dealing with legal questions. Supposing it is a case between man and man, does not my hon. friend know well that most of these gentlemen would not be allowed to be members of a jury to report on a case as between themselves and men of whom they expressed such opinions as most of these gentlemen have expressed with respect to their political opponents?

But they are not to be on a jury. They are to be judges. If they were put in the witness box and my hon. friend was on the bench, as possibly he may condescend to be some day, I feel sure that my hon. friend's sense of justice would cause him to tell the jury of the day that any evidence given by parties having so manifest a bias and so obvious an object in putting the worst possible construction on the acts of their opponents, should be received with very great caution, indeed. The government of the day have had every chance to discover wrong-doing. They made many and very grave accusations against the late government of which I was a member. They have been four months in office. They have had access to every paper in every department of government. They have found those departments most abundantly provided with their own political friends, high up in office, men of their own appointment and their own choice. There has not been the slightest difficulty in

their getting at the bottom of any iniquity that we may have committed. They have, besides that the Auditor General's Report, if any of them have ever taken the pains to go through it, which I doubt, and they have had into the bargain the Public Accounts Committee, and they have had the courts of law to appeal to if they saw fit. Have they brought forward in the House of Commons one single charge against their predecessors that they have chosen to press to an issue, or have they brought forward any charge in the Public Accounts Committee? I have not heard of it if they did. My hon. friend can enlighten me if they have done so. Have they appealed to the courts of law? Not they. What have they done? They have, as I say, chosen to appoint certain bitter political partisans, and they propose to give these people the power to appoint other political partisans. If I remember right anything of my old law studies, a long time ago it is true, I think there is a good old legal maxim, delegatus delegare non potest; and it is an extremely objectionable thing to allow a man who is charged with an important duty to delegate full powers to others, as this Bill proposes to do. My own opinion about such matters is this: First of all. I think the government of the day, if they have charges, or if they wish to bring forward charges against their predecessors, ought to state in full parliament what those charges are. Having done so, and having given their political opponents an opportunity to reply, it is open to them to refer the matter to the Committee on Public Accounts, or to a committee of the House, or to a commission as we did on several occasions when we had reason to impugn the propriety of the actions of our predecessors, and I have always thought myself that in commissions of this particular description the chairman, at any rate, ought to be a judge or a lawyer of eminence. If I may make a suggestion to my hon. friend opposite me, if there is any doubt as to whether a judge should be empowered to act on such a commission, that doubt should be removed, and that most undoubtedly a judge of the land should not be incapacitated from sitting on a commission if the government saw fit to appoint him. I expressed that opinion when this matter was at its first stage before the House, and I repeat it now. The hon. gentleman desires, and we all desire, that a full, true and proper investigation be made if any charges are brought forward; but in order that that investigation should command the respect of the people, it ought to be made, not by political partisans, but, as I have said, by impartial parties; and I may remind him that on two or three important occasions, when the late government saw fit to enter into investigations of the proceedings of several departments they appointed in the first case Mr. Justice Cassels, to conduct an important investigation into the Marine Department, and they appointed in the next case, an eminent public servant in the person of Mr. Courteney, to conduct another investigation. Men of that class should be the parties charged with conducting investigations, and not extreme political partisans. What are these gentlemen to inquire into? They are to inquire into, I suppose, the expenditure of about one hundred millions a year for three or four years back. That expenditure covers perhaps an outlay in a thousand different places, scattered over a territory of three or four thousand miles. I put it to the common sense of the House and to the common sense of my hon. friend; what an opportunity is presented in cases like that for anybody who chooses to exaggerate, or anybody who chooses to misrepresent, or anybody who chooses to suppress facts, to bring forward a report which will be damaging to its opponents, and which will be at the same time utterly unjustifiable. I do not say these men will do it. I am simply pointing out what the opportunities will be, and under those circumstances I say there is double and treble the need that these inquiries should be conducted by perfectly impartial commissioners. The hon. gentleman says he is afraid he cannot get, or the government cannot get, anybody to undertake, what shall I call this investigation—these muckraking inquiries, unless, in addition to the present salary, there is a hope of future reward.

Hon. Mr. LOUGHEED—No. That may be the conclusion my hon. friend drew; but I did not say that.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is what would follow from my hon.

friend's statements. I am quite sure there would be found competent parties to conduct these inquiries if my hon. friend would look for them—people who would not be the least affronted, if they knew that by taking them, they were disqualified for a reasonable period of time from receiving a reward or fees from the government, and I say that on grounds of the highest public policy, it is extremely desirable that these men, if their reports are to obtain any credence at all—if they are to be believed or respected, should have at least the outward show of being impartial. Valuable amendments have been made to the Bill. It is extremely desirable that all parties accused should have a right to be heard, and that they should be represented by counsel, if need be, but I contend that it is utterly and entirely unfair that partisans should be appointed.

My hon. friend, or his friends—I do not accuse him—showed their extreme desire for economy by abolishing some dozen lecturers in a department over which I presided, saving some twenty or twenty-five thousand dollars a year. I venture to say that if the various commissions that are being appointed are all set to work in full blast, that the salaries and expenses—not to speak of the contingent of sub-commissioners that appear likely to be appointed under this Bill—will run to two or three hundred thousand a year, judging by the expense we have seen incurred in similar cases. That is their idea of economy. In a really useful service they will save twenty-five thousand dollars. For the purpose of rewarding a lot of heelers—for the most of them will be nothing else—they will not hesitate to spend two or three hundred thousand dollars. I doubt myself extremely whether these commissions should be issued, at any rate until parliament had been fully seized of the reasons and facts which have led to the issue of them. I grant that to a certain extent what my hon. friend proposes is an innovation. I have no wish and no desire that it should be rigidly forced on the House; and as the matter is of considerable importance, and as members of the House would like to give it full consideration, possibly it would be well that before we proceed further with the Bill the House should allow it to stand for a day or two till we consider the reasons offered by my hon. friend, and suggest any other modifications that may be considered reasonable. I contend that the principle is a sound one, that men who are appointed to conduct this sort of investigation should be particularly put above suspicion of expecting, or being likely to receive, further rewards in addition to the sums that the government may see fit to pay them. I understand some of these gentlemen expect to receive seven, or eight, or ten thousand a year for the work they have undertaken. I have a memorandum on the paper, under which my hon. friend may perhaps be able to give me the information I desire, which will show how far they propose to go in that way; but there is no doubt whatever that the class of men I hear have been appointed to this position are not men in the slightest degree calculated to inspire confidence in the minds of either his own party or of the party to which I belong.

Hon. Mr. POWER—I was very glad to hear the right hon. leader of the opposition make the suggestion that he did, that it would be well to have the committee rise and give a little time to consider, not only this amendment, but perhaps another. I quite sympathize in practically everything the right hon. gentleman has said, but if I may be permitted, before the committee rises, I wish to indicate certain points which I think deserve consideration. This is the amendment:

Every commissioner whether appointed under part 1 or part 2 of this Act——

I am not going to say anything about the policy of that, but the amendment goes on:

—and every person engaged as accountant, engineer, technical adviser or other experts under the provisions of this Act, shall be incapable of being appointed——

Now, whatever you do about the commissioners, it does seem to me that it would be unfair and impracticable to put the latter portion of it, with respect to the accountants, engineers, &c., in operation, because if the inquiry is going on as to certain alleged misdoings in any department,

the engineers and other officers of that department should be called. Under the wording of the amendment proposed by the hon. gentleman from Toronto, these men would be affected just in the same way as the commissioners and would be disqualified from further holding office. Then the amendment proceeds:

—shall be incapable of being appointed to or holding any office, place or employment in this nomination, gift or control of the Crown or of the Governor General of Canada until after the expiration of five years after this report of such commissioner shall have been made.

Leaving out the appointing entirely, clearly it would be unjust and unfair—I think it would work out that way—to say that any one who had been summoned as a witness, even in a case of this sort, and had given information, should be liable to lose the office that he held. If a judge of the higher courts were appointed a commissioner, under the wording of this amendment he could not continue to hold his office after the investigation was over.

Hon. Mr. LOUGHEED—Nor could a witness.

Hon Mr. POWER—I am satisfied the hon. gentleman who moved the amendment does not propose to go as far as that. We have to be reasonable, and to be sure that we are not making more mischief than we are curing. As to the term, I think five years is a somewhat long term, but, however, I am not going to raise any question about that. There is another point to which the right hon. leader of the opposition has directed attention and as to which the Bill really needs amendment more than the amendment I have just been discussing, and that is in the first clause which reads as follows:

11. The commissioners, whether appointed under part I or under part II of this Act, if thereunto authorized by the commission issued in the case, may engage the services of such accountants, engineers, technical advisers, or other experts, clerks, reporters and assistants as they deem necessary or advisable, and also the services of counsel to aid and assist the commissioner in the inquiry——

So far I do not see any special objection, but the first paragraph goes on:

—and the commissioners may authorize and depute any such accountants, engineers, technical advisers, or other experts, or any qualified persons, to inquire into and report to the commissioners upon any matter within the scope of the commission as may be directed by the commissioners, and such persons, when authorized by order in council, shall, in the execution of the powers so deputed or authorized, have the same powers which the commissioners have to take evidence, issue subpœnas, enforce the attendance of witnesses, compel them to give evidence, and otherwise conduct the inquiry.

I quite agree with the right hon. gentleman who has just spoken that that is going too far. It is well enough to give the commissioners the power to do these things, but I do not think it is sound legislation to authorize them to appoint whom they please to appoint.

Hon. Mr. LOUGHEED—The commissioners have the power already under the present Act.

Hon. Mr. POWER—Yes, it is well enough that they should, but I doubt very much the wisdom of allowing them to depute other people, who may be of an inferior character, to do that work.

Hon. Mr. LOUGHEED—Do I understand my hon. friend objects to that portion of the Bill where authority is given to the commissioners to delegate authority to experts, to technical parties, engineers, &c., to make a report, and to take evidence?

Hon. Mr. POWER—Yes.

Hon. Mr. LOUGHEED—Let us assume that the commission desires to make inquire into some engineering work on the Northern Timiskaming railway. My hon. friend would scarcely expect the commission, with their staff, to go there for the purpose of making an investigation into some matter of a technical character. Is it not highly desirable that they should have the power to delegate, say to engineers, and technical experts, authority to make inquiry, upon the ground, into questions which may be at issue, or which may have to be investigated, and to have that technical commissioner, if you so choose to term it, report to the commission, keeping in view, as I would point out to the hon. gentleman from Halifax, that this is done under order in council, subject

to the Governor in Council authorizing the commisioners to do it. The government, therefore, assumes all responsibility for whatever delegation of powers may be set in motion.

Hon. Mr. POWER—I directed attention to this particular matter, because I think it is one which deserves to be considered. I see the force of the argument of the hon. leader of the government, but if these sub-commissioners, as one may call them, are obliged to report the evidence, the objection would be somewhat diminished; and, taking the very matter to which the hon. gentleman referred, the Northern Timiskaming railway, there was an inquiry into the way in which that undertaking was managed, and the witnesses were brought to Ottawa and examined before the Committee on Public Accounts. On the whole, that was a better way than sending some under-strappers out to the west to examine and report. But if the evidence taken is to be reported, and the persons accused are to be represented by counsel, perhaps this would not be so objectionable. That is one reason why I was very glad to hear the right hon. leader of the opposition suggest that the committee report progress.

Hon. Mr. CASGRAIN—It seems right that the commission may employ engineers to make certain measurements of quantities and see if they are correct, but, in my opinion, those engineers should not hold inquiries. The holding of inquiries would be the business of the commissioners themselves.

Hon. Mr. LOUGHEED—But they would have to hold an inquiry as to the subject matter which they were investigating at that particular time. Let us assume that my hon. friend, being an engineer, is authorized by the commissioners to look over a certain piece of work, or a certain public work. My hon. friend would not, as such delegated engineer, examine that himself; he would have to call others, and possibly get information from them. He would have to obtain information as to this, that and the other—all matter which would have to be investigated. Surely it is not an unreasonable power to be granted to a delegated authority to call in other parties to aid an investigation of a technical character and then report to the commissioners?

Hon. Mr. KERR—My object is to protect parties who may be called upon and appointed in this way, from any aspersion that they have any motive, or any interest whatever, in the investigation that they may have to undertake. In other words, they should be men who will deal with the matter in an impartial and judicial way, and discharge their duties as public servants, and not as aspirants for employment in office. I am far from having any such wish as has been suggested by the hon. leader of the government in this chamber. I entirely disavow any intention to interfere with the usefulness of this measure; on the contrary, I wish to have it in such a position that any inquiry made under it will have some measure of public confidence, instead of being regarded as entirely a party move.

Hon. Mr. LOUGHEED—My hon. friend will have to change the language of his amendment.

Hon. Mr. KERR—I may have to do so. With reference to the appointment of judges, the suggestion is made why should judges not be appointed? At the time I was drawing the amendment, I had in mind the impeachment made of the late government, because they had appointed judges. I can remember well how the halls of the building rung with the eloquence of gentlemen who spoke very strongly of the impropriety of asking a judge to leave the bench and come down and make inquiry into these matters. If those gentlemen are penitent, and now see the folly of what they stated then, and are desirous of appointing judges, I see no objection to it whatever. I would be only too glad to consent to an amendment whereby those holding the office of judge shall be exempt from the disqualification imposed by this amendment. I do say that a public investigation, which is to go before this country, should be of such a character that it will command the confidence of the people, that people will not be at liberty to say, 'This is a partisan investigation; it is conducted with closed doors, and

those who are accused are not to have the opportunity of knowing the accusation against them, and those charged with being guilty of offences will not have the opportunity of explaining what is charged against them as being an offence against the laws of the country.' In that view, I say it is of importance that those appointed should be men above suspicion, that they should not have in their minds the hope of gaining a reward, and I think the greatest danger is that men who are now applicants for positions, and who cannot get them because they are already occupied by others, will be stimulated to make an inquiry of this kind of a wholly partisan character, with the hope and expectation that out of the vacancies so created they will in some way meet with a reward beyond the remuneration given to them under the law. That is the motive with which I approach the matter. I am not approaching it with a view of making it more difficult to carry out investigations. The question is asked, why should an engineer not be authorized to go out on the line and make a measurement? As has been stated by my hon. friend from De Lanaudière (Hon. Mr. Casgrain), if he is permitted to go out on his professional reputation, on his judgment and observation, to make a measurement or ascertain facts, doing it all in his professional capacity, then no one could object; but if he is going out as a dismissed official, on a fishing expedition, trying to find out something in the back woods, and then coming here to report in the absence of any person who can show the facts to justify the conduct of the person or the act that was done, then the people of this country will have no confidence in the inquiry, and there will be no justification for it. When you look at the powers given these persons, this accountant, this engineer, this technical adviser, or the other expert, clerk, &c., he may be clothed with all the authority of the commissioners themselves. Is that kind of thing desirable? Is it not dangerous? It is in the interest of the very men who are to be appointed that such a thing should be prevented. It is for the protection of the character of those who should be appointed, and to let them understand that they are serving the country and not a party, that I asked for the amendment. When they accept office they disavow any intention of looking for a reward in the shape of an appointment. I would be very glad to amend the clause to permit the appointment of judges as commissioners; if judges are appointed, I do not care anything about subsequent disqualification, because I have confidence in the judiciary. They discharge their duties in open day in the face of the world, and they are responsible. Their characters and positions are the best guarantee that they will perform the work fairly and impartially, no matter what political party may appoint them. Those holding the office of judge may be entirely excepted from this disqualification; but if it is to be an inquiry made by men who are looking for reward and who are hoping to get it when a vacancy can be created, then the sooner that is understood, and disqualification of the kind I propose is imposed upon them, the sooner we are likely to have an investigation which will be of some use.

Hon. Mr. WATSON—Evidently, from the discussion which has taken place, we will not be able to dispose of the Bill this afternoon, and I move that the committee rise, report progress and ask leave to sit again.

Hon. Sir MACKENZIE BOWELL—Before the committee rises, it will be just as well if all of us who are not lawyers should understand what the Bill means and what object the hon. gentleman has in view in the amendments which he has offered. I must confess I listened with a great deal of interest to the remarks of the hon. gentleman from Halifax (Hon. Mr. Power) because his mind seems to run in the same direction as the hon. gentleman's did as to what the effect of the amendment would be if adopted. Dealing with that particular point, I fail to see anything in the amendment or in the Bill itself delegating power to experts who may be employed by the commissioners to make an investigation. They are employed when the object is to ascertain whether a piece of work has been properly constructed, and, after investigating, they are required to report to the commissioners. It would be absurd to suppose that the commissioners could go to

every part of the Dominion to investigate complaints of improper conduct made against officials. Take the other case to which the hon. leader of the opposition and others have referred, of the construction of the Grand Trunk Pacific. If a complaint should be made of improper construction of any part of the line an engineer or a scientific man would be required to make an investigation. Is it reasonable to suppose that the commissioners should undertake to ascertain such facts for themselves by visiting the locality on the route and making the investigation themselves? Even if they could go to make the investigation, is it likely that the commissioners would be men capable of ascertaining whether the work was properly done or whether it required an extraordinary expenditure on construction? It seems to me the common sense reading of the clause itself is that the commissioners are given power, if they deem it necessary, to send experts, engineers or others to make certain investigations and report to them, and the commissioners would have to make their finding upon such reports. To my mind it is the only possible way of arriving at a safe conclusion. I am not going to follow the right hon. leader of the opposition in the strictures he has passed and the insinuations he has made as to what may be the effect of these amendments, or what may be expected in the future. I listened with a great deal of pleasure to his remarks. It brought back to my mind old times when the hon. gentleman exhibited the same vigour that he has shown today in attacking his opponents. He and I have sat together in parliament for the last thirty or forty years, and when I heard him denouncing his opponents in his forcible style and language it brought back to me an earlier period of our lives when we did not hesitate to call a spade a spade in the excitement of debate. I hope to hear him very often, but if I were to retort in the same line—which I do not propose to do—I think I could point out to my hon. friend that in some of the cases to which he has alluded, the facts would not justify the statements he has made. On the contrary, the facts would prove quite contrary to the opinions he has formed and to which he has given expression.

I listened to the statements made by my hon. friend who moved this resolution and consider they were not only impracticable, but, without being at all disrespectful, I would say absurd. One would think, to hear him speak of the possible appointment of politicians and partisans, that such a thing never existed in the past. My hon. friend to the left (Hon. Mr. Lougheed) has pointed out that the practice of both parties, when they were in power, was to select men who, though capable of investigating the subject referred to them, were at least in most cases, if not all, men who, in their political lives, might be termed partisans. When my hon. friend spoke of denunciation of the appointment of a judge, I did not recall to whom he referred, but on reflection I remember that a late senator here referred to the appointment of Judge Cassels. I do not know whether I am correct or not.

Hon. Mr. KERR—No, it is a case of Mr. Ferguson's speech and motion made, backed up by the whole of his supporters on this side, in reference to the investigation made by Mr. Justice Britton in reference to Yukon matters. It was the employment of a judge.

Hon. Sir MACKENZIE BOWELL—I think my hon. friend has gone just a little too far in that respect. I took part in that discussion, and I am very glad my hon. friend has reminded me of it. It was not because Judge Britton was appointed, but because he made no report upon the investigation which he had made; and my hon. friend Sir Richard Scott, was then leading the Senate, and I pointed out to him that although the investigation had taken place by the judge and a large amount of money had been expended, no result had followed from it, that he had made no report; nor was any report laid before parliament until after I had called for it. The matter of complaint was not the appointment of the judge, but the manner in which he had conducted the investigation, and not having made any report until it was called for by parliament. Fortunately for me, I have a tolerably clear recollection of events as they occur. I know that some remarks were made by an hon. gentleman on that side of the House at the time in reference to

the appointment of Judge Cassels, but those who knew Judge Cassels, and those who paid the slightest attention to the investigation which was carried on by him into the wrongdoing in Quebec, Halifax and other places never had the slightest fault to find with the manner in which that investigation was conducted, or with the report which was made. On the contrary, the complaint was that he was restricted in his investigation, and could not follow up to their logical conclusion the faults that were discovered, to show where the wrongs had been committed. If it were necessary, I could point out what these wrongs were. There were facts elicited in that investigation, and when the inquiry arrived at a certain point, the judge was stopped in his investigation because the commission under which he was acting did not permit him to go far enough to follow matters to their source. During that investigation, certain clerks in the department made extraordinary statements. It is true they were not dismissed, one of them in particular who stated to the commission appointed by the government of which two of my hon. friends opposite were members, that through the manner in which contracts had been given out, the government had lost some $200,000. The investigation stopped there; it did not go beyond that to know how and where it was done. That official was not dismissed, nor was he promoted, but he was superannuated for life on a tolerably good allowance. If my hon. friend from Toronto had moved an amendment to disqualify for five years the commissioners who were appointed to make this investigation, there might possibly have been some little reason in it. Then it would only be upon the presumption that those commissioners would make reports against gentlemen holding positions with sufficient emolument to justify their getting rid of them in order to get the positions themselves. That is the only inference that can be drawn from the amendment which has been made and from the speech which the mover has delivered. But he goes a long way beyond that in his amendment, and looking at it closely, anyone will find that every person engaged in any investigation which may take place is disqualified. If an accountant is appointed by the commission to investigate the books or the expenditure of any person carrying on the affairs of the government, that man, though he may be non-partisan, or he may be a partisan, is disqualified for five years under this amendment, though he is only required to be an accountant or an expert in book-keeping and figures, if I may use that expression. Then he mentions an engineer, whom they must necessarily appoint if they want to ascertain the facts connected with the construction of any public work. It goes further and mentions a technical adviser. Now, a man possessing technical knowledge might be employed to consult an engineer, or he might be a technical book-keeper. I recollect a case where the late Minister of Marine and Fisheries appointed some technical book-keeper from the United States, and brought him here at an expenditure of $100 a day to see whether or not his own books were kept properly. If that technical book-keeper had been a Canadian and had been employed for that purpose he would have been disqualified for five years under this amendment.

Hon. Mr. POIRIER—Chartered accountants would be.

Hon. Sir MACKENZIE BOWELL—A chartered accountant is just as likely to be appointed to investigate books and look into accounts; yet my hon. friend from Toronto makes the provision that if a chartered accountant be employed for the purpose of ascertaining whether the books of any department, or the books of any railway or employee of the government are incorrectly or improperly kept, he is disqualified for five years from holding any office. But the amendment goes further. If this technical adviser gives an opinion that the books have not been properly kept, he is also discredited and put upon the shelf for five years as if he had committed a criminal offence. I cannot myself understand what the hon. gentleman could have been thinking of when he wrote out this amendment. Each one of these persons who are mentioned as experts,

under the provisions of this amendment are to be incapable of being employed by the government for a number of years. I quite concur in the position taken by the hon. leader of the House, who is a member of the government, that such an amendment could not by any possiblity be accepted. My hon. friend from Toronto disavows his intention of killing the Bill. I am bound to accept his word for that; but unless he is more innocent than I give him credit for, he must, on a moment's reflection, conclude that the Bill would be destroyed if his amendment were adopted. My hon. friend, the leader of the House, says distinctly that the whole subject is to take power, not to delegate it, to seek information through the parties mentioned by the commissioners, to facilitate the investigation into the workings of the departments or into any charge that may be made. I fully concur in the first amendment, although I do not think it necessary, nor do I think that the Bill is any better with it than it was before. Had the clause been repealed as it stands in the Act, and the additions made to it by way of an amendment, it would have been much more logical and better than it is with that which has been attached to it. I am glad my hon. friend, on the part of the government, was willing to accept the suggestion that if there could be any possible doubt, the man accused, whether from a partisan standpoint or in his official capacity, should have not only protection, but also every opportunity to defend himself. I go further and lay down this principle, that I would not take the word of any one for the dismissal of a man accused of partisanship. During the time I held office, I declined to accept the mere declaration that a man had committed a partisan act, as a reason for his dismissal. I wanted the evidence placed before me to show that that man had violated the rules and regulations which govern the civil service before I would discharge him. I do not desire to be boastful, but during the thirteen or fourteen years that I administered the Customs Act, I had under my control about a thousand officers, and I challenge any one of them to show that during that whole period any man was dismissed except for misconduct; and not a single man for partisan reasons. I have a very strong opinion upon that question, and I never forgot what I heard from Sir John Macdonald, when discussing this matter with his colleagues—and I may be excused for repeating it—that an official under the pay of the government should not be deprived of the rights and privileges of a free man to record his vote for or against any candidate; but he had no right to take part in an election campaign as a partisan, for he did not know to-day who his master might be to-morrow, and for that reason he should commit no act that would bring him in conflict with those with whom he might have to work in carrying out the administration of the affairs of his office. Seeing the extent to which this amendment, if carried, would go, and the effect it would have, and after hearing the declaration on the part of the leader of the government in this House that an amendment of this kind should not be accepted, I hope that, unless my hon. friend desires to kill the Bill, he will withdraw his motion.

Hon. Mr. DERBYSHIRE moved that the committee rise, report progress and ask leave to sit again next Tuesday.

The motion was agreed to.

SECOND READINGS.

Bill (K) An Act to change the name of Ezra Butler Eddy Bessey.—Hon. Mr. Edwards.

Bill (No. 40) An Act respecting the Canadian Northern Ontario Railway Company. —Hon. Mr. Derbyshire.

Bill (N) An Act to incorporate the Dominion Pacific Railway Company.—Hon. Mr. Edwards.

Bill (O) An Act respecting the Protectorate Life Insurance Company of Canada. —Hon. Mr. Edwards.

NAVAL SERVICE ACT REPEAL BILL.

SECOND READING POSTPONED.

Hon. Mr. CHOQUETTE rose to move the second reading of Bill (P) An Act to repeal Chapter 43, 9-10 Edward VII., An Act respecting the Naval Service of Canada.

Hon. Mr. LOUGHEED—Would my hon. friend permit that Bill to stand until to-morrow, or till some other day?

Hon. Mr. CHOQUETTE—I am very sorry I have to go to Quebec to-morrow.

Hon. Mr. LOUGHEED—Some day that will be convenient to my hon. friend?

Hon. Mr. CHOQUETTE—I just wish to put a question to my hon. friend if he is willing, as leader of the government, in order to make the matter plain, to make some kind of statement as to what the government is willing to do this session? I am not going into the matter to embarass the government, and if my hon. friend would be prepared or is willing to make a statement as to the attitude of the government on this question, or what they are going to do this session on the matter, perhaps the question will be settled.

Hon. Mr. LOUGHEED—When my hon. friend moves the second reading of the Bill, I do propose to make a statement as to the position of the government in regard to the naval service and to the obligations and responsibilities now resting on the government touching the carrying out of the duties involved and embodied in the Naval Service Bill. Consequently, if my hon. friend will discharge the order of the day and place it on the orders of the day for a day that would be convenient to himself, that statement can be made.

Hon. Mr. CHOQUETTE—Will the government then be in a position to declare its policy—declare what it is going to do this session?

Hon. Mr. LOUGHEED—No, the government will not be in a position to declare its policy on the Naval Service question this session.

Hon. Mr. CHOQUETTE—Well, perhaps the word policy is too large; I may ask what the government will be able to do this session?

Hon. Mr. LOUGHEED—My hon. friend wants to extract information by instalments.

Hon. Mr. CHOQUETTE—Perhaps that would be a good way to settle the question.

Hon. Mr. LOUGHEED—I am not prepared to make any further statement than I have made.

Hon. Mr. CHOQUETTE—I am going back to Quebec to-morrow, and may not be able to come back till next Thursday week.

Hon. Mr. LOUGHEED—Well, next Thursday week.

Hon. Mr. CHOQUETTE—I should like to know before, as a matter of consolation, who is going to support my Bill.

Hon. Mr. LOUGHEED—I would not advise my hon. friend to rely too strongly on that.

Hon. Mr. CHOQUETTE moved that the order be discharged and put on the order paper for Thursday week.

The motion was agreed to.

SECOND READINGS.

Bill (No. 29) An Act respecting the Dominion Guarantee Company, Limited and to change its name to 'The Dominion Gresham Guarantee and Casualty Company.'—Hon. Mr. Casgrain.

Bill (No. 53) An Act respecting patent of Edmund F. Piper.—Hon. Mr. Edwards.

Bill (No. 63) An Act to incorporate the Premier Life Insurance Company.—Hon. Mr. De Veber.

Bill (No. 72) An Act to incorporate the Sterling Life Assurance Company of Canada.—Hon. Mr. Taylor.

Bill (No. 96) An Act to amend the Manitoba Grain Act.—Hon. Mr. Lougheed.

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

THE SENATE.

WEDNESDAY, February 14, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

FIRST AND SECOND READINGS.

Bill (V) An Act respecting the Grand Trunk Pacific Railway Company.—Hon. Mr. Gibson.

Bill (W) An Act respecting the Grand Trunk Railway Company of Canada.—Hon. Mr. Gibson.

THE POSTMISTRESS AT COLLINA, N.B.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

1. Was Miss Mary Fowler, postmistress at Collina, N.B., in 1906?
2. If so, when was she appointed?
3. Did she ever give the bonds necessary under the rules of the department, and when were they given?
4. If so, who were the bondsmen,
5. Was she removed from office?
6. If she was removed from office when was she removed, for what reasons, and on whose complaint?
7. If she was removed from office, what was the date?
8. In 1896 was the post office kept at the store of a Mr. Gibbons, Collina?
9. In 1896 was Mr. Gibbons postmaster at Collina?
10. Did he give the usual bonds of office?
11. At what date did he cease to be postmaster at Collina?
12. Did he resign? If so, for what reasons?
13. According to the post office records, who was postmaster or postmistress at Collina, 1894, 1895, 1896, 1897?
14. Did not Mr. Gibbons retire from business at Collina in 1896 and leave the district?
15. If so, was the post office placed in the hands of responsible parties there?
16. If so, who was appointed postmaster or postmistress, and at what date?
17. Did the then sitting member (1906) ask for her removal?
18. If so, did he give any reasons, and what were they?
19. Was she removed on account of his complaint?

Hon. Mr. LOUGHEED—The following are the replies:

1. No. Cornelius Chamberlain was postmaster of Collina in 1906.

2, 3, 4, 5, 6 and 7. See answer to No. 1.

8. The department has no knowledge as to this.

9. No. James M. Gibbons, postmaster of Collina, died on or about July, 1895.

10. Yes, when he was postmaster.

11 and 12. See answers to Nos. 8 and 9.

13. James M. Gibbons was postmaster in 1894-95 Mrs. May Folkins was postmistress from September 1, 1895 to February 9, 1897. Cornelius Chamberlain has been postmaster since that date.

14, 15, 16, 17, 18 and 19. See answers to Nos. 8 and 9 and answer to No. 13.

SALARIES AND CONTINGENCIES OF THE SENATE.

MOTION.

Hon. Mr. THOMPSON moved:

That the salaries and contingencies of the Senate, under the head of legislation, and found on page 39 of the estimates laid before parliament for the fiscal year ending March 31, 1913, be referred to the Standing Committee on Internal Economy and Contingent Accounts of the Senate.

He said: I make this motion, not because I am in any sense disposed to find fault with the sum total as shown in the estimates, the amount of $108,207 being placed to the credit of the Senate and subject to being withdrawn by the Clerk of the Senate or such other party to whose credit it may be placed, as may be designated by the Speaker; but I have moved it for the purpose of referring to the division of this money as shown in the estimates and the matter which it contains. Hon. gentlemen will readily understand that, as an independent branch of parliament, we are in no way responsible to the government in the control of the expenditure of the Senate, as is the case with the other branch of parliament. The Senate, from time immemorial, has had by practice, and it has become an unwritten law, control of its expenditure through its own Finance Committee, the committee on Internal Economy and Contingent Accounts. Bourinot, referring to the duties and responsibilities of the committee and what is expected of it as an advisory board of the Senate, declares that it would be the duty of the Senate, having regard to its practice, to refer questions of this nature to the committee for their determination and advice. In the estimates we have $3,150 in addition to the estimates of the previous year, and we have the details showing the items which go to make up the $3,150. None of these increases have so far been presented to the Senate, and the Senate has expressed no opinion upon them.

I am not here to criticise or to say that the Senate would not approve of them; but as they appear here the only practicable way in which they can come to the Senate for confirmation or for affirmation would be that they should be dealt with by the Senate as a whole or referred to the Finance Committee of the Senate so that a report might be made in regard to them. It will be seen that a new departure appeared in

the estimates which we have before us which makes provision for a new service at a cost of $1,200 to provide a private secretary for the represntative of the government in this Chamber. While I am not opposed in any sense in providing clerical assistance for the leader of the government, I am personally of the opinion that it should not be a charge that ought to be placed under the head of civil government; and before we concur in the estimates for the disbursement of the money from the appropriation of $108,000 odd which is handed over to us, we ought at least to express an opinion in regard to this matter, as well as in relation to the other increases which are suggested in this estimate. There has been no change in respect to the financial side and the responsibility side of the question in respect of moneys that the Senate gets from the revenue of Canada by any Act of parliament. There has been a change with respect to the recommendations under the Civil Service Act. We have changed the mode by which certain officials and certain members of the staff of the Senate shall come under the attention and notice of the Senate; but the Act does not in any sense interfere with the responsibility of the Senate in respect to the disbursement of the money, unless we think it proper to do away with the Financial Committee of this House. I would like, if hon. gentlemen will permit me, to read the nature and responsibility of that committee as stated in Bourinot, page 270, of the third edition, edited by T. B. Flint:

'Whenever it is necessary to appoint any officer, clerk or messenger, the subject is referred to the Committee on Internal Economy and Contingent Accounts, who report as to the necessity for such office and the salary that ought to be given.'

That in no way interferes with the application or the provisions of the Civil Service Act, which changes the modus operandi of appointment or recommendation to the Senate, but leaves it clear that both in relation to the position and the salary the matter, as Bourinot puts it, should be referred to the Committee of Internal Economy and Contingent Accounts.

Bourinot continues:

'All appointments and salaries except the appointment of Crown Officers as well as to motions and recommendations for superannuation, or a leave of absence, are practically regulated by this committee. In fact, it supervises all the ordinary expenses of the Senate, apart from the members indemnity and other expenditures authorized by statute. Its members have always jealously resented all attempts to interfere with the control of matters which it is the practice to refer to them. All petitions and papers referring to salaries and expenses of the House are inwardly submitted to the consideration of this committee before any definite conclusion is arrived at on the subject.'

I think that is entirely a justification for my asking that the Senate refer the estimates, or the disbursements of the amounts of money placed to the credit of the Senate of Canada to this committee, that they may report to the House in respect of matters contained in it.

Hon. Sir MACKENZIE BOWELL—I should like to ask the hon. gentleman whether the Civil Service Act, as it stands upon the statue-book to-day, at all interferes with the principles laid down by Bourinot? In many cases where the powers that were exercised under the law and by practice were removed from the Internal Economy Committee altogether, and placed in the hands of the Speaker and Deputy Head, (the Clerk) it placed them in the position of deputy heads of departments. I have not looked into the point myself, but I presume my hon. friend has, and perhaps he could explain to the Senate whether the principles laid down by Bourinot have been interfered with at all?

Hon. Mr. THOMPSON—I do not think the Civil Service Act at all interferes with the principles as laid down by Bourinot, for this reason: that Act does not give to the Speaker, acting as the minister for the time being, or the deputy, any other power than the making of recommendations which were formerly initiated by the Internal Economy Committee, and referred to the House. Having made these recommendations they have discharged all the duty that is assigned to them under the Civil Service Act, and the Senate has to deal with these recommendations in the way that have always dealt with them, as Bourinot states.

Hon. Sir MACKENZIE BOWELL—Do I understand the hon. gentleman to say that these recommendations were not made to the Senate and approved by the Senate? Is that what the hon. gentleman complains of?

Hon. Mr. THOMPSON—These recommendations have never reached the Senate. If such recommendations had been made by the Speaker under the Civil Service Act, they would have been in the hands of the Senate. I might add that recommendations in respect to increases under the Civil Service Act have been generally made so near the close of the session that the Finance Committee of this Senate have never had an opportunity to advise in relation to them, and while I think they might concur in all of them, I believe it to be the duty and work of the Finance Committee to report in respect to them, whether their views are adopted by the Senate or not.

Hon. Mr. CLORAN—The point to which the hon. Chairman has called attention is a serious one and should elicit a few expressions of opinion in this Chamber, so as to strengthen the hands of the Financial Advisory Board of the Senate, as he properly calls it, when they come to deal with the matter. The government of the day is making an intrusion into our financial affairs. I concur with the view of the hon. chairman of the committee, and I think the minister of the government without portfolio in this House is entitled to the best aid he can get. He is alone in this House, and represents some fourteen or fifteen departments. I am somewhat surprised that he is able to discharge his duties so effectively. I have no objection to his being provided with the best amanuensis and typewriter and such other assistance as is necessary; but he would not get that simply as a Senator. He would obtain that as a minister of the government—minister without portfolio if you like.

I, therefore, think that if the government supplies him with a stenographer or clerks, and with an office, it is doing well. I concur with the government in what they have done, because I feel the hon. gentleman has a great deal to attend to, and one clerk would not be enough, but the question is this: should the Senate pay the expense out of its own little fund for the ministerial party? That is the point. I have every sympathy wtih the hon. gentleman in the discharge of his duties, but I think he will agree with me that if these expenses are to be paid they should come out of the general fund of Canada, and not out of the limited fund given to the chairman of the Finance Committee of the Senate. I hope he will see eye to eye with me in this matter, and I for one am prepared to have him get all the aid possible in the discharge of his duties. I think it would be well if hon. members would strengthen the hands of the committee in this matter, and so advise the government.

Hon. Mr. ELLIS — The matter to me seems larger than the hon. gentleman from Victoria division (Hon. Mr. Cloran) has pointed out. We have not here the power of dealing with the expenditures of the government, except as a whole. If we pass this resolution relating to a portion of the estimates, would we not equally have the power to deal with the whole of them? Are we not proceeding along a line that is quite unusual if not irregular? I must confess I would be somewhat alarmed at the situation were it not that the hon. member from Halifax (Hon. Mr. Power), who is such a keen constitutionalist, is the seconder of the motion, and it may be, therefore, a safe one; but I should like to know more about it from that point of view.

Hon. Mr. THOMPSON—I do not think we are going to affect any change in the estimates as they are before parliament. They will go through just as they are. We do not ask to amend them; but we do ask for an expression of the Senate, when we get the money, as to whether we shall carry out the division of that fund on the lines indicated in the estimates. I think that is the only point at issue. I do not ask for an amendment; I do not know what our committee may do. I simply ask that the matter be referred to them, but we shall in no sense attempt to change the estimates.

Hon. Mr. LOUGHEED—I have no personal inclination touching this subject so

far as the submission of the question to the Committee on Internal Economy and Contingent Accounts is concerned. The only thing I desire to see done is to proceed regularly and consistently in this matter. I may be pardoned for first of all referring to the personal mention which has been made of the amount placed in the estimates for secretarial work in connection with the office I happen to occupy for the moment. I may mention that this amount is not being paid out of the Senate estimates; it is an additional amount which has been placed in the estimates.

Hon. Mr. CLORAN—That makes a difference.

Hon. Mr. LOUGHEED—Therefore, the Senate is not paying for it in the sense which seems to have impressed the House. It would be entirely immaterial whether this item appeared under any other head, but it is placed in the Senate estimates on account of its being appurtenant to this particular office—not to the minister's office without portfolio, but to the leadership of the Senate, and for that reason it appears in the Senate estimates. As to the other question, it seems to me the inconsistency of the position taken, and which we have been pursuing for some time past, is that estimates which are passed upon by parliament are, in the first place, prepared by officers of this Chamber. They are then submitted to the government, they pass the Treasury Board, and are submitted to parliament, and there voted for specific purposes. Since the estimates are voted by parliament for a specific purpose, it seems to me that it would be highly contradictory for a committee of this Chamber to sit in judgment upon that question.

Hon. Mr. THOMPSON—Did I understand the hon. gentleman to say that the estimate, as it appeared here, has been before the Senate and approved of by this House?

Hon. Mr. LOUGHEED—No, I do not say that. I say the estimates have been prepared by the proper officer of this Chamber; that they have been submitted to and approved by the government, and in due course will be submitted to parliament. It seems to me that we are beginning at the wrong end. If there be a policy along the line of pronouncing upon the sums which are to be voted for the expenses of this Chamber, then before the estimates are prepared, or during the course of preparation of those estimates, this committee might well sit in judgment or sit as an advisory committee in recommending to the proper officers of this Chamber through whose hands those estimates pass into the hands of the government. But it seems to me that we would place ourselves in a false position after the estimates have been approved, to sit then in judgment upon them. Another matter; under the Civil Service Act I suppose there cannot be any two opinions that the policy, so far as parliament is concerned, is to assimilate the expenditures and recommendations to office, and so on, of the two branches of parliament, to the practice of a department. Having done that, the Act has specifically designated who shall be the heads of this department, namely the Speaker of the Senate shall be the head of the department, and the Clerk of the Senate shall be the deputy of the department.

Hon. Mr. DANDURAND—And the Senate will be the Governor in Council.

Hon. Mr. LOUGHEED—And the Senate, I suppose, will be the Governor in Council.

Hon. Mr. CLORAN—'The Governor in Council' never saw any of these things.

Hon. Mr. LOUGHEED—I can well appreciate the wisdom of a committee sitting in an advisory capacity; but let us assume for a moment that the committee will not agree with the heads of this department who are designated by the Act. Who then, has the power of appointment?

Hon. Mr. POWER—The Senate.

Hon. Mr. CLORAN—The Governor in Council.

Hon. Mr. LOUGHEED—I am not prepared to say that the Act will bear that construction.

Hon. Mr. DANDURAND—Oh, yes.

Hon. Mr. LOUGHEED—Section 22 of the Act, in my judgment, will bear the opposite interpretation to that which the hon. gentleman has placed upon it, because it designates who shall be the heads of the department, and, of course, I assume that the heads of the department will work in harmony with the Senate; but it seems to me that the Senate and not the committee should act in these matters and should pronounce upon the various reports.

Hon. Mr. THOMPSON—The hon. gentleman said, as I understood him, that those estimates had been prepared by the proper officers, and laid before parliament?

Hon. Mr. LOUGHEED—I am assuming that, because they were forwarded to the government.

Hon. Mr. THOMPSON—I would like to ask the hon. gentleman where, in the consitution of the Senate, there are any officers appointed in respect to making these estimates unless it would be by a reference to the Internal Economy Committee? In the Act the only reference to the Senate will be found in chapter 43, and section 44 of that chapter, which says:

> Credits for all sums voted by parliament and payable in respect of allowances to members of the Senate, as hereinafter provided, and in respect of other expenditure for the service of the Senate shall issue from time to time.
>
> 2. Such credits shall issue on one of the banks of Canada in favour of the Clerk of the Senate and the Assistant Accountant of the Senate or such other persons as the Speaker of the Senate from time to time designates for the purpose.
>
> 3. Such clerk shall from time to time apply for such credits as he deems necessary, by order signed by him.

I think it is very apparent, if Bourinot is to be taken as an authority, that the expenditure of the Senate—the salaries (it says so) and the appointments (it says so) have always been referred to this committee as an advisory board. The House of Commons have no Financial or Internal Economy Committee that is not appointed by the government of Canada. The government appoints the Internal Economy Committee that prepares the estimates of the House of Commons; they are referred to the Speaker for his approval; subsequently they go to the Finance Minister for his approval before they become part of the estimates to be presented to parliament. The constitution of this branch—I don't know for what reason—has made the Senate so absolutely an independent branch in respect of its expenditure and other matters, that has no connection with any department or with the Finance Department and is not required to have any other approval than the Senate itself.

While we would not interfere with what parliament has done, let us imagine what would happen if in the preparation of those estimates there had been a great enormity in them. Suppose there had been something that we could not ourselves defend. Suppose they had been prepared without our knowledge and included matters which did not belong, and which ought not to appear there, what are you going to do? Parliament passes the estimates; it would be charged against the Senate of Canada as one of the idiosyncrasies of this body, who are old men, and had forgotten their duty and obligation. I think it is proper and right that any fund placed by parliament to the credit of the Senate of Canada should be expended by the authority of the Senate who were alone responsible and if not all expended, it should find its way back to the revenues of the Dominion. Automatically, any money not paid out, passes back into the exchequer.

Hon. Mr. LOUGHEED—My hon. friend does not apparently view with me the necessity of following the logical sequence of the various steps which should be taken in reference to this subject and that is where the difficulty has been in the past. We have had more or less friction, unfortunately, with the Auditor General since this Civil Service Act became law, and it is very desirable to obviate that as far as possible, and that we should bring ourselves into line with whatever the law is. I am therefore, desirous of seeing some practice adopted which will harmonize with the views entertained by that officer, whose functions we have to recognize and respect, so that friction will be avoided if possible. Let me point out to my hon. friend this difficulty. So far as the preparation of the

estimates is concerned, they must necessarily be prepared during the recess. The Minister of Finance will ask for those estimates before parliament is called, and, therefore, if this committee is to exercise any functions it is to exercise the functions of an Advisory Committee, and I think that they should prepare their estimates, say, during the present session of parliament for the ensuing session, so that in the recess, when the estimates are called for, and have to be prepared by the Clerk of the Senate, and approved by the Speaker of the Senate, these will be practically the estimates of the Internal Economy Committee. So far as that committee is concerned, there is no recognition of such a body in the Civil Service Act. The Internal Economy Committee is simply speaking for the Senate, and when we speak of the Senate we must eliminate all thought of the Internal Economy Committee, because the Senate simply delegates the duty, for the time being, under restrictive powers to the Internal Economy Committee to asist them in meeting the requirements of the Act.

Hon. Mr. THOMPSON—They have always done so in relation to those matters.

Hon. Mr. LOUGHEED—This is a question which should be taken up by a special committee or by the Internal Economy Committee, so that we may harmonize our practice with the requirements of the Civil Service Act. If it is difficult to understand, let us get the matter settled and harmonize it also with the views which the Auditor General may entertain, so that we may avoid the friction we have had to confront in the past. All this can be brought about by the Internal Economy Committee in the first place, simply becoming an advisory committee, advise the Speaker, and the Clerk of the House, as to the estimates and as to what should be done in regard to the various appointments and expenditures in the Senate.

Hon. Mr. BEIQUE—If I understand the position, it is this: provision has been made in the estimates for increases of salaries of officials of the Senate. If that is so, it seems to me that this is a violation both of the Civil Service Act and of the privileges of this honourable House.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. BEIQUE—The practice has always been that this Senate was master of its own staff—of all its officials. I can remember a number of senators in the Chamber, and especially the hon. gentleman sitting to the right of the hon. leader of the House (Hon. Sir Mackenzie Bowell) very often rising to assert the importance of the privilege of this House. I am afraid we are now on the verge of a great violation of that privilege. Under the Civil Service Act, as has been very properly stated, any recommendations are to emanate from the hon. Speaker of this House, who is supposed to occupy the same position as a minister of a department; and he acts with the Clerk of the House; but the recommendation is made, not to the government, but to this branch of parliament, and this branch is called upon to pass on that recommendation, to sanction or refuse to sanction it. Here we have estimates which are the result of suggestions that additional amounts be paid to officials of this House, or possibly the creation of new officials, and of this the Senate has never heard a word. If this can be done, the whole of our staff may be dealt with independently of any control of this honourable House. Although I am not against the minister, I am afraid the referring of this question to the Internal Economy Committee will not be a sufficient remedy. I have no objection, as far as I am concerned. Let the motion pass and we shall see what will result. It may aid in the solution of the question. My main object in speaking is to urge upon the committee, if the reference be made to them, the importance of the question, and that the committee should be invited to take such a stand that the privileges of this honourable House will be vindicated and maintained.

Hon. Mr. DANDURAND—I am not absolutely at one with my hon. friend the mover of this resolution, as to the functions of the Internal Economy Committee under the new regime. I had occasion to express my mind a couple of times as to the functions of the Internal

Economy Committee under the operation of the Civil Service Act, and I shall do so in a summary way now. We are under a new order of things, which, I think, has somewhat altered the function which had been delegated to the Internal Economy Committee, previous to the adoption of the Civil Service Act. Now all matters pertaining to the employees and officers of the Senate are not referred to the Internal Economy Committee de jure. The recommendation now somes from his honour the Speaker upon a report made by the deputy minister of our branch, who is the Clerk of the Senate. But the recommendation of his honour the Speaker must be approved by the Senate, just as the report of the ministers must be approved by the Governor in Council. The division of opinion in the Senate has been as to the right of the Senate to refer the reports of his honour the Speaker to a committee of this House. I have held that all reports concerning the increase of the staff, or the increase in salaries, should be referred to the Internal Economy Committee, although the Civil Service Act mentions nothing of the kind. But surely when the Senate is seized of a report coming from his honour the Speaker, the Senate can delegate to a smaller body the study of it, so as to obtain a report from that committee, just as the Governor in Council can delegate to a sub-committee of council any such report from a minister concerning the increase in his staff or a proposed increase in salary. For my part, I have never had any doubt that when a report comes from his honour the Speaker concerning the officers or employees of the Senate that the Senate is seized of that report, can do what it pleases with that report, and can send it, if it pleases to the Internal Economy Committee. Of course, the situation as explained by the hon. leader of the Senate is somewhat a surprising one, if any explanation can be given of the situation which we have to face. But I am informed that the officer who is charged with the preparation of the estimates for the Senate, who is the Clerk of the Senate, our deputy minister, has prepared and submitted them to the Senate every year. According to that report, the Clerk of the Senate did submit the estimates last March, and they were forwarded to the Minister of Finance. Those estimates simply contain the increases of salaries which in his opinion should be made. We have approved of those increases.

Hon. Mr. THOMPSON—No, they come up later.

Hon. Mr. CLORAN—What about the new secretary?

Hon. Mr. DANDURAND—They came up last March. I am informed there has been an error in the preparation of those estimates in charging the Senate with the salary of another employee, the secretary for the leader.

Hon. Mr. CLORAN—That was not done in March.

Hon. Mr. DANDURAND—I do not know what is the opinion of the hon. gentleman who leads us; but I am under the impression that those estimates which are today before the House of Commons can be varied, if the hon. gentleman is of the opinion that from the sum total which is voted for the Senate this amount should be deducted and charged to another department. My opinion is that that can only be done in the House of Commons. If the estimates come here as they are, whatever may be the action taken by the Internal Economy Committee on this matter, we would have to vote the supply Bill as it comes, that we are not able to modify it; so that if it appears in the judgment of the Senate that we should not be charged with that sum, which is, I admit, a paltry one, we can perhaps declare that it is best we should not be charged with it because of the precedent it would establish, and not because of the amount. Then it can be very easily done in the House of Commons.

Hon. Mr. LOUGHEED—Would my hon friend suggest to what particular branch of the public service that item should be charged?

Hon. Mr. CLORAN—Civil government.

Hon. Mr. LOUGHEED—That is where it is—legislation.

Hon. Mr. DANDURAND—I have not examined the budget itself. I would rather leave it to my hon. friend, the ex-Minister of Finance (Sir Richard Cartwright) who sits beside me, and the hon. gentleman from Hastings, (Hon. Mr. Bowell) to answer that question. I have never had anything to do with the preparation of the estimates or the budget, so that I could not give an opinion which would have any weight in this matter. Before adopting this motion, we should, perhaps, pause a little, and I would suggest to my hon. friend that instead of moving it now he should adjourn the further discussion of it until next week, so that we may consider what effect this step may have should we take it.

Hon. Mr. THOMPSON—I understood the hon. gentleman to say the increases that appeared here had been approved last March. They have not yet come to the Senate. They will be recommended later on in the session by the Clerk in respect to the salaries included in the estimate for the year ending March 31, 1913. These increases have not yet been recommended by the Speaker. There is no difference of opinion between the hon. gentleman and myself that would make a matter of controversy. He says the Civil Service Act has changed, in some respects, the modus operandi of handling these questions here. That is correct. It is only done with respect to the nomination through the Speaker instead of through this committee, and the moment it reaches this committee Bourinot says before the Senate takes any definite action with respect to an expenditure to be made by the Senate the matter is invariably referred to the Finance Committee of the Senate. Unless you ignore the practice of the Senate and desire that this committee which has been appointed every session from time immemorial, shall be ignored the matter should be referred to that committee. Although the nomination comes through the Speaker, there is no reason why it should not be referred to the committee. We do not determine it. The matter is reported back to the Senate by the committee, the committee having gone through it in a more complete way than would be possible in the Senate. The committee is able to get to the bottom of such questions. I claim that, under the Civil Service Act, we are proceeding entirely in conformity with its provisions. I merely rose to say that I think the hon. gentleman was wrong when he said that this matter had been considered by the Senate.

Hon. Mr. LOUGHEED—I should like, before the conclusion of this discussion, to absolve the clerk from any responsibility for inserting that very disturbing factor of $1,200 for secretarial assistance with respect to the office which pertains to this desk; but I would just point out that my hon. friend made the statement that the estimates which the Internal Economy Committee now want to be submitted to them again passed this committee or had been submitted to the committee——

Hon. Mr. THOMPSON—No.

Hon. Mr. LOUGHEED—I understood my hon. friend opposite to say that they had been.

Hon. Mr. DANDURAND—I was under the impression, from information I had received and which I may have misunderstood, that the intended increases of salaries had been laid on the table of the House last March in one form or another.

Hon. Mr. LOUGHEED—As I have already said, I have no personal inclination one way or the other in the matter, except this: to whatever committee these estimates may be sent it should be an advisory committee to the Senate in the preparation of the estimates.

Hon. Mr. CLORAN—I should like to ask a question of the leader of the government. He has made a declaration here that this $1,200 salary for a secretary attaches not to his position as minister, but to his position as leader of the Senate. Suppose occasion should arise, and circumstances required that the government will have two or three extra ministers in this House; would all the expenses of their departments be saddled upon the Senate? Because if the hon. gentleman is right in this case, they would be justified in asking the same thing to be

done with regard to the other departments. We are establishing a dangerous precedent. I am simply looking after the small amount of money we have at our disposal. If all these expenses are to be saddled on the Senate, the people will say: 'Look at what the Senate is costing the country?' All I want is to see that the expenditure goes through the proper channel, where it will not be charged against the Senate. Does the leader of the government think I am right?

Hon. Mr. LOUGHEED—If a minister with portfolio should be appointed to the Senate the expense of a secretary would be charged up to his department; but it happens that that is not the case at the present time. There being no portfolio in this Chamber, it therefore becomes necessary to charge that item to the branch where it belongs.

Hon. Mr. CLORAN—It was not necessary seven or eight years ago when Mr. Templeman was minister without portfolio.

Hon. Mr. LOUGHEED—But Mr Templeman was not charged with the duty of leading the Senate. There are other ministers without portfolio and no grant has been made to them for secretarial assistance. It is only on account of the duties pertaining to this particular office that that has been done. I will credit my hon. friends with sufficient genorosity to quite readily recognize the necessity for such an officer.

Hon. Mr. LANDRY (Speaker)—The Civil Service Act, which governs us was passed in 1908, so the practice laid down by Bourinot is overruled by that law. Bourinot has nothing to say in the case, because we have ourselves accepted the Act in passing it, and we are governed by the Act, and the Act comes before the opinion of Bourinot in the matter. Now what does the Act say. Clause 39 provides:

'Any person chosen by a minister to be his private secretary may, without examination, and irrespective of age, be appointed for a period not exceeding one year and paid as a clerk in sub-division (B) of the second division.'

So you see a minister has the power to name his private secretary and that private secretary is not obliged to undergo any examination. Who will pay him? It is the House of Commons that votes the money, not the Senate. Clause 81 says:

'No salary shall be payable to any private secretary unless the amount has been voted by parliament.'

The amount must be voted by parliament, and to be voted by parliament it must be introduced in the estimates. It is out of our power altogether.

Hon. Mr. CLORAN—The question is, against whom shall it be charged?

Hon. Mr. LANDRY (Speaker)—When there is no department it must be charged somewhere.

Hon. Mr. CLORAN—It should not be charged to the Senate.

Hon. Mr. LANDRY (Speaker)—When a minister in this House has a department, it should be charged against the department; but when it is a minister without portfolio, where should it be charged?

Hon. Mr. CLORAN—The travelling expenses of a minister without portfolio are not charged against the Senate. The principle is wrong, and if the leader of the government wanted to admit it he would say so. We do not object to the $1,200; but we want it charged to the proper source, not to the Senate.

Hon. Mr. LANDRY (Speaker)—I am not defending the charging of it to the Senate, but I say the Senate has nothing to do with the private secretaries, that they are chosen by the ministers and the amount is voted by parliament. The hon. gentleman asks where it is to be charged. It is not for me to find a place, but I say that the Internal Economy Committee has no mandate to point out the place. The Senate may protest against the charging of it to the Senate, but they have no right to designate the place where that expense shall be charged.

Hon. Mr. CLORAN—Certainly they have.

Hon. Mr. LANDRY (Speaker)—They have no right to change the estimates.

This is merely a memorandum which is nothing more than a protest.

Hon. Mr. BEIQUE—We can reject the estimates. I would ask the Speaker to refer to the other items, because the one he has spoken of is not the only item.

Hon. Mr. POWER—As I naturally expected, the leader of the House takes a reasonable view of the matter, and he expressed his willingness that this motion should pass, and when the report of the committee comes up, the House can deal with it as it pleases. I rise chiefly for the purpose of expressing my dissent from the proposal made to postpone this discussion to a future day. We have devoted quite sufficient time to the matter, and are in as good a position to vote on it now as if we waited three weeks. The question is substantially this, whatever it may appear on the surface: shall this House abandon the control it has heretofore had over its staff? Any hon. member who is prepared to vote for that will vote against the motion of the hon. member from Fredericton.

Hon. Sir MACKENZIE BOWELL—While I see no objection to the motion, and shall vote for it, I must enter my dissent from the expression of the hon. member from Halifax, who says that a vote against this motion is tantamount to the abrogation of our control over our staff. I dissent from that altogether.

The motion was agreed to.

INCREASES IN NAVAL SERVICE.

INQUIRY.

Hon. Mr. LAVERGNE inquired:

Why has the government provided in the estimates for an increased number of employees in the Naval Service.

Hon. Mr. LOUGHEED—I would point out to my hon. friend that the question is rather ambiguous, and scarcely permits of such an answer as he may expect. In the first place, the main estimates for the Naval Service for 1912-13 show a decrease of $1,340,000 compared with 1911-12; but there having been attached to that department the hydrographic and tidal service, and wireless telegraph branches, certain employees have been appointed to that service and as it is part of the public service of the state, entirely irrespective of the Naval Service but for convenience attached to it, the estimates may possibly show an increase of employees.

Hon. Mr. LAVERGNE—The government has provided for a new set of civil servants in the Naval Department, new employees. Did the government appoint them?

Hon. Mr. LOUGHEED—If my hon. friend would indicate what additional employees have been appointed, I should be very glad to get him the information.

Hon. Mr. LAVERGNE—There has been an augmentation, according to the budget; that is all I know about it.

Hon. Mr. LOUGHEED—To speak of it in a general way, it would be explained in the manner I have indicated—that there have been attached to that department certain branches of the public service, and that service is expanding and may possibly show additional employees in the Naval Service, speaking generally.

Hon. Mr. LAVERGNE—Will the hon. leader of the House tell the Senate if this Naval Bill is to be repealed?

Hon. Mr. LOUGHEED—The government has not changed its attitude upon that Bill since yesterday.

Hon. Mr. CLORAN—They have increased the estimates.

BILLS INTRODUCED.

Bill (No. 50) An Act respecting the Ontario and Ottawa Railway Company.—Hon. Mr. Davis.

Bill (No. 89) An Act to incorporate the Bank of Saskatchewan.—Hon. Mr. Ross, Moosejaw.

AN ADJOURNMENT.

Hon. Mr. RILEY—Before the orders of the day are called, I would draw the attention of the hon. leader of the government to the fact that next Wednesday is Ash Wednesday, and will be a holiday. Perhaps it would suit the hon. members of this

House if they knew in advance what the intention of the government is as to an adjournment. Some are of the opinion that it is not worth while meeting on Tuesday and then having a holiday on Wednesday, that it would be better to adjourn till Thursday. Others are of the opinion that it would be better to adjourn all next week. It would suit the convenience of members if they knew in advance what was likely to take place so that they might make their arrangements accordingly. I therefore, thought it well to ascertain the opinion of the government and hon. members of this House as to what we might expect as to a probable adjournment.

Hon. Mr. LOUGHEED—I am entirely in the judgment of the House in this matter. There is a statutory holiday next Wednesday, and, personally, I think there would be no objection if we should adjourn from Friday until Thursday. As to the remainder of the week, while I have no particular inclination on the subject, there are two very important Bills which should reach this House before Thursday next, namely the Grain Bill and the Tariff Commission Bill. If the friends of hon. gentlemen opposite do not detain the Tariff Commission Bill too long in the Commons, it should also be here by that time. Is it the opinion of the House that in view of the legislation which we see looming up, and the fairly large order paper which we have before us, that we should take the whole of next week? My suggestion would be to adjourn until Thursday.

Hon. Mr. DANDURAND—The hon. gentleman might perhaps, inasmuch as to-day is Wednesday, give his notice for Friday, and between now and Friday he will see if he could give notice that when the Senate adjourns on Friday it stands adjourned till Thursday next; but in the meantime, between now and Friday, he may see whether we can afford to go a little further and take the whole week.

BILL INTRODUCED.

Bill (X) An Act to incorporate the Canadian Public Health Association.—Hon. Mr. De Veber.

Hon. Mr. RILEY.

BARCELONA TRACTION LIGHT AND POWER COMPANY BILL.

SECOND READING POSTPONED.

Hon. Mr. BEITH moved the second reading of Bill (No. 36) An Act respecting Barcelona Traction, Light and Power Company, Limited.

Hon. Mr. KERR—I observe that this Bill contains a reference to a charter, and to certain powers that are conferred upon this company which is the petitioner here. Before we undertake to say anything with reference to this Bill we ought to have before us the powers that the company already possess. It seems to me that the matter should stand over till that information can be furnished to us. It is not expedient that we should be at all in the dark with respect to this matter, and we should be able to say whether it is advantageous or convenient that such powers should be conferred on a company which has been authorized to do business by letters patent, without havig those powers before us. It differs entirely from the case of a company incorporated by parliament and whose acts are upon the statutes of Canada. Perhaps the hon. gentleman in charge of this Bill will be able to let us know when he can have copies of the letters patent to submit to us. I would suggest that the order be discharged and that it be placed on the order paper for this day week.

Hon. Mr. DANDURAND—I would draw the attention of my hon. friend to the question whether the committee is the proper place to examine into the powers that this company have or are to be conferred on them.

Hon. Mr. KERR—Before we can decide that it is desirable that those powers should be conferred on the company, we ought to have before us the powers that are ancillary to it. In other words, I think this Bill should have been printed with the letters patent as a schedule to the Bill; then we would have known exactly what was before us.

Hon. Mr. WATSON—One thing they are asking for in this Bill is to change the name, and the other is the right to acquire

under that changed name. I do not see that they are asking any new power or that there is anything extraordinary in it.

Hon. Mr. CASGRAIN—Yes, but they may have power under the letters patent that we would not grant.

Hon. Mr. BEITH moved that the order of the day be discharged and that it be put on the order paper for Friday.

The motion was agreed to.

SECOND READINGS.

Bill (Q) An Act to incorporate the Universal Eyesight Insurance Company.—Hon. Mr. Mitchell.

Bill (R) An Act for the relief of Herbert Horsfall.—Hon. Mr. Derbyshire.

Bill (S) An Act for the relief of Kenneth Molson.—Hon. Mr. Mitchell.

MANITOBA GRAIN ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (No. 96) An Act to amend the Manitoba Grain Act.

(In the Committee.)

Hon. Mr. LOUGHEED—This is a very short Bill, but it means a great deal to the interests involved. Very strong pressure has been brought to bear on the Minister of Trade and Commerce, who is charged with this particular branch of the public service, to make an additional exception to the exceptions found in the present law, chap. 45 of the Revised Statutes of 1908. The present exceptions read as follows:

'The commissioner (that is the warehouse commissioner) shall have power in his discretion to order cars to be supplied contrary to the provisions of this Act to elevators that are in danger of collapse, or in cases where the operator of any country elevator or warehouse, reports in writing under oath, that some portion of the grain in his elevator or warehouse is heated, and that in order to preserve the same it is necessary to ship such heated grain to the terminal elevator for treatment, provided however that no relief shall be granted in such last mentioned cases unless the warehouseman has plenty of room in his building for the rehandling of such grain.'

I am instructed that there are many millions of bushels of grain yet in the northwest that are threatened with very great deterioration unless it is immediately handled. The grain is damp, and in all probability it will be destroyed at an early date unless some relief is given by legislation so as to depart from the Act as we suggest to-day. The Act is rather of cast-iron character, only making provision for two exceptions which I have mentioned. It is therefore proposed that another exception be included in the Act as provided by this Bill, which exception reads as follows:

To places where grain is damp and liable to become damaged, or for the purpose of distributing seed grain to any point in the western division.'

Hon. gentlemen will appreciate the necessity of a rapid movement of grain for the purposes mentioned in this particular Bill, and the desire of the government is to meet public opinion and sentiment in the Northwest, and make provision for the movement of this particular class of grain.

Hon. Mr. MACDONALD (British Columbia)—Where is it moved?

Hon. Mr. LOUGHEED—To the terminal elevators for treatment. There are no hospital elevators in the interior of the country, and this grain will have to be moved to terminal elevator points for the purpose of saving it.

Hon. Mr. DOUGLAS—I should like to know from what source this Bill emanates? Is it the people who own the grain who are calling for this legislation, and who are desirous of setting aside the principle which we embraced in Bill (Q) last year, and in which they had every confidence? I understand there is a certain amount of grain that may become damp, and will become damp, and that of course will occur in any season. It is a well known fact to-day that the threshing machines are busy at work and are getting the grain in fairly good shape and selling it at good prices. I am given to understand that the principle involved in Bill (Q) last year will be preserved in the government

Bill which will reach us in a few days. I fail to see the urgency for putting this Bill into effect, which is against our judgment of previous years. Very likely the question will be under discussion and this provision will be set aside in the government Bill which is now before the House of Commons. It is perfectly evident that the commissioner at Winnipeg has now all the powers necessary to meet the case, and on that account I feel disposed to press the House to consider the fact that there is no need for a change. The commissioner may order cars to meet the emergencies which may arise, and why should we not leave the matter in his hands?

Hon. Mr. LOUGHEED—The commissioner has no authority unless we give it to him by this Bill.

Hon. Mr. DOUGLAS—He has authority under the Bill which passed this House in 1908, which has not been repealed.

Hon. Mr. LOUGHEED—No, it is entirely limited to the two classes of cases which I read from the Act a moment ago, chap. 45, sec. 41.

Hon. Mr. WATSON—And 99-B.

Hon. Mr. DOUGLAS—My hon. friend refers to the urgency in this matter. I see no urgency at all. They can call for cars any where in the province if they are available and forward seed grain to any point without further legislation.

Hon. Mr. LOUGHEED—No, seed grain is not provided for in the present Act.

Hon. Mr. DOUGLAS—The second provision relates to distributing grain to any point in the western provinces. There is no urgency in that case. What is needed is cars. This is a blow at the general principle embodied in the Act of 1898, which we adopted last year, and which will come up in the new Bill for approval. It would be well to keep this matter in abeyance for a week.

Hon. Mr. LOUGHEED—This is a case of urgent necessity. There will be no necessity for it three weeks hence. This amendment is designed to meet an exceptional condition of things which prevails in the Northwest, where millions of bushels of damaged grain require to be moved at once to terminal points for treatment. It will be all over within the next two or three weeks I apprehend.

Hon. Mr. DOUGLAS—Has the hon. gentleman any assurance from the railway companies that if this Bill is passed today they will be able to move the damaged grain that he refers to? If it is put on cars it may stand, as grain has stood during the past, for three or four weeks at a time on the track without leaving the place. This Bill looks to me like a scheme of the railway companies to put themselves right before the people. This clause leaves it to the discretion of the warehouse commissioner and surely it might remain within his discretion until the general Bill comes before us and we can review the whole matter.

Hon. Mr. WATSON—This refers to grain that is liable to be damaged.

Hon. Mr. DOUGLAS—We cannot tell what amount there is of damaged grain.

Hon. Mr. TAYLOR—Will the passing of this Bill do any harm?

Hon. Mr. DOUGLAS—If the situation can be relieved by the passing of this measure and the railways will furnish the cars and facilities without delay to move the grain, I do not think there is anything really bad about the Bill. At the same time, it seems to me superfluous. The principle is already provided for in the Act, and I am sure that all that is needed is additional cars and rolling stock. What is wanted is better engines to handle the grain during the winter season, and without such facilities this legislation will be of very little value—really none at all. I am not going to oppose the Bill, because it is likely to be fully discussed and we can embody it, if we see fit, in the Grain Bill when it comes before us, but I would prefer to postpone further discussion of it until then. I move that the order of the day be discharged, and that it be postponed until we have the general Bill before us which will probably be in a very few days.

Hon. Mr. LOUGHEED—We may not need it then.

The CHAIRMAN—The hon. gentleman can only move that the committee rise and report progress.

Hon. Mr. DOUGLAS—Then I move that the committee rise and report progress, and ask leave to sit again this day two weeks.

Hon. Mr. YOUNG—With reference to the effect of this clause, my hon. friend (Hon. Mr. Douglas) feels that the power is already in the hands of the commissioners who can accomplish all that is proposed by this Bill. In the Act there are two conditions under which the Warehouse Commissioners may take action. First, if an elevator has collapsed or is about to collapse and, secondly, if grain has become heated in a warehouse or elevator. That applies only to grain that has already been received and stored and has gone wrong. It has always been a puzzle to me to know what cure you can work on grain that has heated. It may be as well that the commissioner has power to remove it from the elevator. This Bill goes a little further and deals with grain not in an elevator and not heated, but grain at or near a station, whether in an elevator or not, which is damp at present and liable as soon as the warm weather comes in, to become damaged. If there is any fault to find with this measure it is that it is belated. It should have been on the statute-book and acted upon a month ago, because the men who should get the very first relief are the farmers whose season's crop is jeopardized by the approach of warmer weather. I would suggest not only that this legislation should be passed, but that the government should see to it that in future those who are in the unfortunate position of being liable to lose their crop should have the first consideration at the hands of the transportation companies, and thereby minimize as much as possible loss in that direction. I am supporting the Bill.

Hon. Mr. DAVIS—I was absent during the discussion on this Bill, but I would like to know who asked for this legislation?

Hon. Mr. LOUGHEED—The owners of the grain.

Hon. Mr. DAVIS—Did the grain growers, who had a deputation here two or three days ago, ask for it?

Hon. Mr. LOUGHEED—The growers of the grain asked for it. There is only one sentiment in the Northwest in regard to this question. It must be manifest to the hon. gentlemen that if there are millions of bushels of damp grain that may become destroyed for want of treatment, it is immaterial who may have asked for it, it is the duty of the government to see that the grain is saved if at all possible.

Hon. Mr. DAVIS—Then I understand that although the accredited representatives of the people who grow grain in the Northwest were here a few days ago, we have no information whether they asked for it or not.

Hon. Mr. LOUGHEED. Is it not manifest to my hon. friend that if there are millions of bushels—and I am told the quantity is fifteen or twenty million bushels—in danger of being lost, is it not the duty of the government, even though no one asked for it, to take steps to save such valuable property?

Hon. Mr. DAVIS—There are not only the people who own elevators, but hundreds of farmers all over the country who have grain of that character. This legislation may have the effect of relieving the owners of elevators; on the other hand it may have the effect of preventing men who have not as large an interest, but whose wheat is scattered all over the west, from getting their wheat to market. This is the principle that has been fought for by the grain growers for years, ever since I have been in parliament—I mean the proper distribution of cars, so that the men in business would not get an advantage over the farmer. If there is anything in the Grain Act that they want guarded it is the proper distribution of cars. This Bill comes like the thin edge of the wedge: the grain commissioner can, if he sees fit, if an elevator collapses, or grain is heating, have that grain shipped out; but under this new provision he might do that in one or two cases,

and the farmers would have no cars at all. I have attended every session of the grain growers where they have met the railway and milling people, and the farmers have stood by that provision in the Act solidly. Every year we have found the railway and elevator people and others interested in that way trying to get that section of the Act repealed. Surely the majority of the people ought to know what is best for them. If the railway people would pay more attention to providing cars, to move the grain out, there would be no need for such legislation. Unfortunately, they will not provide what is needed. If they got more rolling stock and looked after the operation of their roads and did less lobbying about the corridors of parliament, it would be better for all parties concerned. We had an account in the press despatches yesterday of a pitched battle between the farmers at a point in the Northwest where one hundred cars were required on one branch of the railroad to move the wheat. A dozen cars were brought in and in the struggle to secure them a number of people were clubbed and one of them is likely to die. That was the result of a shortage of cars. The railway companies have been treated generously by this country. They have received subsidies of money and land, and have been given great advantages, and surely those people whose stock commands nearly three hundred, can afford to supply cars enough to do the ordinary business of the country. But they would rather come here for legislation like the Bill now before the House. I see in this measure an attempt on the part of the railway interests to remove the safeguard which the farmers now have in the Act. If such legislation was desired or thought necessary by the grain growers, surely they would have asked for it when their representatives were here. As a matter of fact, they do not want it. For my part, I am opposed to this legislation. The Grain Act which was passed by the Senate last year is being dealt with in the other House. It will be here in a day or two: would it not be well to let this legislation stand until that measure comes before us, when we can deal with the whole matter? Supposing we were to pass this Bill now it might not be assented to for two or three weeks. I should like to see the people who are interested outside of the railway and elevator people, consulted before it becomes law. I second the motion that the committee rise.

Hon. Mr. CLORAN—If what the hon. gentleman from Prince Albert says be true—and I believe it is true—the situation is a serious one. He practically tells the Senate that the railway companies will not furnish individuals or small corporations with cars when they are prepared to furnish them to companies owning elevators. It means that the railway companies are rendering a service to large companies which they refuse to individuals. If such is the case, why does not the hon. gentleman move to insert in the law—and I will support him if he does—a provision whereby on the demand of any farmer or farmers who want cars, the company shall within forty-eight hours supply them. If they have not all the cars demanded then they should give a percentage of the cars at their disposal to the farmers. With such a proviso the injustice complained of will be prevented.

Hon. Mr. DAVIS—There is such a provision in the Act as it stands now. It was secured after a long and bitter fight. It places farmers in a position that they can get their share of cars as well as the elevator people. The railways would rather load from an elevator than take grain from a platform at a siding, therefore they have always been trying to get rid of this provision in the Act which enables farmers to load their grain. It not only gives the farmer a chance to ship his grain, but a chance to avail himself of competition in selling his grain. If you do away with this clause, you place him absolutely in the hands of a few grain buyers at the local stations, and they will then be in a position to offer him just what they like for his grain. This Bill is very carefully drawn. It does not say that its object is to provide for the prompt removal of wheat that is lying on the prairie. It provides for inserting after the word 'collapse', in the third line thereof, the words 'to places where grain is damp and liable to become damaged, or for the purpose of distributing seed grain to any point in the western division.'

This Bill, to my mind, relieves, to a certain extent, the warehouseman. It does not say that he shall take it out of the bin or a pile of wheat or anything; he has the power now to apply this to every elevator over the country where they suppose grain is liable to become damaged. It is very easy to report, 'If you don't bring me 25 cars to take my wheat out of this elevator, I am going to lose it.' That is a very easy way indeed, and one that they would be very liable to adopt, and the warehouse commissioner sends twenty-five cars. But here are twenty-five farmers who are not getting any cars at all; they may have wheat in the same condition, but they are shut out, they don't get the cars; Mr. Elevatorman gets the whole of them. You may apply the whole of that to the provinces of Alberta and Saskatchewan, and the law is going to be practically a dead letter. This is simply a condition under which we are trying to deprive the farmers of a privilege they have fought for for years and years; I think it would be well to leave it over, seeing that the farmers were here a week ago, and they did not ask for it.

Hon. Mr. LOUGHEED—My hon. friend is not fair in saying that. They have asked for it.

Hon. Mr. DAVIS—My hon. friend did not say so.

Hon. Mr. LOUGHEED—I said it was not necessary for any one to ask for it in the face of the fact that the government knows that approximately 20,000,000 bushels of grain will be destroyed unless this legislation goes through; but the farmers of the Northwest have strongly urged upon the Department of Trade and Commerce that this legislation be passed without delay.

Hon. Mr. BEIQUE—If the hon. gentleman who has just spoken reads the clauses carefully, with the amendments suggested, he will see that this amendment will not affect the law at all as it is, and will not apply to any grain in elevators, because the provision for that remains in the Act as it was. It is intended merely to apply to grain outside of elevators, and to emergency cases. It is not left to the railway companies or to the dealers in grain; it is entirely left to the judgment of the commissioner; and it seems to me that if it was wise at the time this Act was passed to provide for such emergencies as damaged wheat in elevators, it is surely wise to-day to provide for an emergency when it is known that there are millions of bushels of wheat all over the country liable to be damaged if not removed quickly. It seems to me, therefore, the measure is altogether in the interests of the farmer, and the amendment does not apply to any grain in elevators.

Hon. Mr. DAVIS—I would like my hon. friend to point out where he finds, within the four corners of that Bill, anything that prevents them from taking it out of the elevators.

Hon. Mr. BEIQUE—The clause in the Bill of last year gives the commissioner power to order cars to be supplied to elevators that are in danger of collapse, and the present Bill adds the words:

'Or to places where the grain is damp and liable to become damaged or for the purposes of distributing seed grain to any point in the western division.'

The provisions in the former Bill remain the same, therefore no elevator man can derive any benefit from the amendment at all. The provision embodied in last year's Bill will be maintained, and the cars can be furnished at the request of the commissioner for grain elevators only in such cases where the operator of any country elevator or warehouse reports in writing under oath that such portion of the grain in the elevator or warehouse is heated.

Hon. Mr. DAVIS—The present Bill amends the statute of 1908 by inserting after the word 'collapse' the words 'to places where grain is damp and liable to becomes damaged,' &c. What does that mean? Does it mean a grain bin where you have grain piled, or does it mean an elevator?

Hon. Mr. BEIQUE—It is followed by a special provision in regard to elevators. The effect will be, when amended, that it

will not apply to elevators at all, because there will be a special provision regarding elevators.

Hon. Mr. DAVIS—The original Act says:

In cases where the operator of any country elevator or warehouse reports in writing under oath that some portion of the grain in his elevator or warehouse is heated and that in order to preserve the same it is necessary to ship such heated grain to the terminal elevator for treatment.

If these gentlemen were overly anxious to assist the farmer, would it not be well to add after the word 'heated' the word 'damaged'?

Hon. Mr. BEIQUE—No, because that would be limited to grain in elevators.

Hon. Mr. DAVIS—This measure would apply to elevators.

Hon. Mr. LOUGHEED—Nothing to do with elevators.

Hon. Mr. DAVIS—It says that where it is necessary in order to save the grain it shall be shipped to the terminal elevators for treatment.

The CHAIRMAN—The elevators have that power.

Hon. Mr. DAVIS—As far as heated grain is concerned; but the owner has to make an oath if the grain is heated. Does my hon. friend say that before he can get the grain out of the elevator he has to make an oath? Under the Act he has to make the same oath and is subject to the same penalty.

Hon. Mr. BEIQUE—Not outside of elevators.

Hon. Mr. DAVIS—I think this refers to elevators, and if my hon. friend who has charge of this Bill has any idea that it does not apply to them, could we not insert a clause as follows: 'This Bill shall not apply to elevators.' I would be satisfied if he did that.

Hon. Mr. WATSON—I do not think the purpose for which the Bill is being passed would be served by inserting a provision that it should not apply to elevators. If grain is damp and liable to become heated, why should they not move it, no matter where it is. But this is going outside of elevators. This amends the Act by allowing the grain commissioner to permit a car to be loaded out of a wheat field, if you like. There is grain in the fields, and the commissioner can direct the railways to send a car there to pick it up. I agree with the hon. gentleman from Killarney (Hon. Mr. Young). When you attempt to save grain which has been heated, I do not know what possible treatment you can give it. No doubt a great deal of the wheat at the present moment is in such a condition that if handled within the next few weeks it will probably be saved to a considerable extent. My only regret is that the government did not discover the necessity for this weeks ago. I am surprised that hon. gentlemen should ask to delay it, because it is in the right direction.

Hon. Mr. DAVIS—Not from the standpoint of the farmer.

Hon. Mr. WATSON—Yes, from the standpoint of the farmer. The commissioner has no power to refuse the farmer cars in his turn as provided by the Act, but this gives him additional power to take away the rights the elevator man has at the present time.

Hon. Mr. EDWARDS. It is just a temporary provision.

Hon. Mr. WATSON—I say it should not be temporary, but should remain in the Act. If such a provision had been in the statute, probably millions of bushels of wheat which have been destroyed would have been saved. In regard to the facilities for treating such wheat, I understand they can treat about 60,000 bushels a day in the hospital elevators at Fort William and Port Arthur, and at Duluth somewhere about 15,000 bushels a day The treatment of that amount is going to make a saving, provided the weather does not get warm too soon, because this wheat was threshed after the snow came, and is mixed with ice, and as soon as the warm weather comes and the ice melts that grain will be worthless. Legislation should have been passed sooner to direct the commissioners to give the cars to these unfortunate people. I do not see

any reason why a man who has the wheat heating in an elevator should not have power to move it as well as the man who has wheat on the farm. I was informed yesterday that there were large sections of country in Saskatchewan, twenty or thirty square miles, where only about 15 per cent of the crop has been threshed. If the weather is favourable, they will thresh it as soon as they can. That grain is bound to have more or less ice in it if threshed in hard weather, and if it is not taken to market at once it is a dead loss to the farmer. I am in entire sympathy with this legislation, and regret that the government did not discover the necessity for this legislation weeks ago instead of at this late date.

Hon. Mr. FORGET—I am not at all satisfied, with all due respect for my hon. friend's opinion, that the Bill means what it says.

Hon. Mr. WATSON—I trust it does.

Hon. Mr. FORGET—I am almost absolutely sure it is the very reverse, and in any case I believe, if it is simply relief which was intended, the loss will not be great by waiting one day more, and I suggest that this committee rise, to meet again to-morrow, so that we can ascertain the meaning of the Bill.

Hon. Mr. LOUGHEED—I sincerely hope that the Senate will not assume the responsibility of contributing in any way to the further destruction of this grain than the process now going on. The Minister of Trade and Commerce urged upon me some days ago to put the Bill through as rapidly as I possibly could. He said very great pressure was being brought to bear upon him by owners of grain to have this Bill become law at once. I understand the Railway Commissioners have decided to take exceptional steps to provide extra cars for the ready movement of the grain. I venture to say that it will not detract one iota from the normal supply of cars already contemplated and provided for by the Act. It only gives the warehouse commissioner authority to furnish cars for this particular purpose, and from the statements made by the railway companies I am satisfied that such additional facilities will be furnished as not to interfere in any way with what I might term the inflexible rule laid down as to the distribution of cars for normal purposes.

Hon. Mr. FORGET—My hon. friend admits that the Bill is not introduced for the purpose of removing the grain which is owned by farmers and liable to losses.

Hon. Mr. LOUGHEED—Certainly it is for that purpose.

Hon. Mr. FORGET—The railway companies have given assurances that if this Bill passes it will not prevent them distributing cars to people as much in the future as in the past.

Hon. Mr. LOUGHEED—No, I did not say that. I said that, owing to the emergent conditions which have arisen there within the last few months, and the railways recognizing those emergent conditions, they will take exceptional steps to furnish cars for the rapid movement of this grain to terminal points, so that it will undergo hospital treatment.

Hon. Mr. DAVIS—I would draw attention to the powers already given to the commissioner under this Bill with reference to grain that is heating. What does the hon. gentleman say as to the other grain which we were discussing? Is that not liable to be heated just the same?

Hon. Mr. LOUGHEED—This Bill deals with grain that is damp and liable to be damaged. It may have nothing to do with the heating. My hon. friend might order cars to be loaded opposite a farmer's field where the grain could be loaded. It does not refer to elevators particularly.

Hon. Mr. DAVIS—My hon. friend from Portage la Prairie (Hon. Mr. Watson) said this referred to grain lying out in the field. I can imagine that you are to relieve the congestion by going out in the fields and loading the grain on the cars there. You want to relieve the elevators by giving them all the cars the railways have available, and leave the grain which is wet on the platform with no cars at all There is nothing to prevent the elevators from getting the cars under the present Act.

Hon. Mr. DANDURAND—I cannot see any difficulty in interpreting this amendment:

The commissioner shall have power, in his discretion, during a car shortage to direct the railways to make an equitable distribution of empty grain cars to all stations in proportion to the amount of grain available for shipment from such stations.

What does section 99B of the Manitoba Grain Act of 1908 say?

The commissioner shall have the power, in his discretion, to order cars to be supplied contrary to the provisions of this Act, to elevators that are in danger of collapse.

Then the amendment comes in:

And to places where grain is damp and liable to become damaged, or for the purpose of distributing seed grain to any point in the western division.

So that it is a general power which we give to the commissioners, and it seems to me that it is broad and clear enough.

Hon. Mr. DAVIS—My hon. friend has abiding faith in the commissioners, more so than I have. I do not wish to see the farmers' rights placed in the hands of the commissioners. If wheat is wet it is going to heat and be damaged. If the grain is damp and liable to heat, the commissioner can give orders for cars at the present time.

Hon. Mr. WATSON—No.

Hon. Mr. DAVIS—The section of the Act says:

Where the operator of any country elevator or warehouse reports in writing under oath that some portion of the grain in his elevator or warehouse is heated, and that in order to preserve the same it is necessary to ship such heated grain, &c.

Hon. Mr. WATSON—That is not the farmer.

Hon. Mr. DAVIS—Is it intended that the Bill shall be for the benefit of the farmers?

Hon. Mr. WATSON—Yes.

Hon. Mr. DAVIS—Why not provide that it shall not apply to elevators? My hon. friend tells me the farmers have asked for this. I was told by the secretary of the Grain Growers' Association that this was to be brought down, and that the railways and elevator men were going to get in the thin end of the wedge.

Hon. Mr. LOUGHEED—He does not know what he is talking about.

Hon. Mr. DAVIS—I submit that people out there have as good a knowledge of the shipping and handling grain as an hon. minister, who has never been there.

Hon. Mr. WILSON—I think the hon. gentlemen who are opposing the Bill are asking nothing unfair. What harm will be done by postponing the Bill for three weeks? If the contention on the part of the leader of the House and those who adopt his views on this matter, that it is essential the Bill be passed at once is correct, they have not shown that there is any danger whatever under the legislation of the previous section, that the Act amply protects the wheat in the west. It would appear from the nature of this Bill that there is some object to be served. What is that object or what advantage is there in it? Is it a strike at the railway companies? Are they not doing all they possibly can under the present law? We all know that wheat exposed is liable to be damaged; but the present law is just as ample protection to the farming community having wheat exposed as this Bill would be. Who is asking for the Bill? Have the farmers of the Northwest been petitioning for it? If the matter were urgent we would be flooded with petitions asking for such legislation. The representatives from the Northwest are divided on this question; therefore I think we should postpone the consideration of the Bill.

Are you to take it for granted that if there is a possibility of grain becoming heated you are going to have it taken out of the elevator or wherever it may be, to be disposed of at once? The difficulty is to get cars. If you had cars there would be no danger, for you could send the wheat to market. Under the old law, you have as ample protection for enforcing the transfers of wheat, as you have in this. I am therefore in favour of the delay asked for by members of the Northwest, and I have heard no reason stated showing advantage

or benefit from the immediate passage of the Bill. I shall therefore vote for the delay.

Hon. Mr. DAVIS—As far as I am concerned, I have no evidence that the grain growers, the men who actually produce the grain, have asked for this Bill, and there should be some delay at least until we can communicate with them. My hon. friend has not told us how soon he is going to get this Bill assented to. If it was an emergency it should have been rushed through the House of Commons under suspension of the rules. I have not seen any such hurry as that, but I am willing to stand corrected. Supposing we put this Bill through and get its third reading, we have no assurance that it will be assented to in the next two or three weeks. A delay of a day or two is not serious, and I would like to communicate with the people interested in this matter before the measure is railroaded through parliament. The secretary of the grain growers' told me that there was an effort being made on the part of the railroads and elevator people to deprive them of the privileges that they had in that direction by entering the thin end of the wedge with a proposition of this kind. If this is satisfactory to the grain growers', I am positive they never told me about it, and I am in communication with them when they come here. I met them, and all the information they gave me was to put me on my guard against this sort of thing. I see some danger in this Bill, and I would like to have it delayed. Therefore, I suggest that the committee rise and report, and ask leave to sit again at the next meeting of the House, which will not be more than one or two days and I will wire to the west. You cannot get the Bill assented to anyhow in less than ten days.

Hon. Sir MACKENZIE BOWELL—Oh, yes.

Hon. Mr. CASGRAIN (the Chairman)—To-morrow night.

Hon. Mr. DAVIS—To-morrow night? I do not think it is the intention to have this Bill assented to to-morrow night. Does my hon. friend say that he intends to have this assented to to-morrow?

Hon. Mr. LOUGHEED—Assented to at an early day.

Hon. Mr. DAVIS—Well, to-morrow is an early day, and so is next week and the week after. It is something like the language of this Bill, that says 'places'; but do 'places' not include elevators? It means an elevator as well as a bin.

Hon. Mr. TAYLOR—I notice by the 'Hansard' of the House of Commons that this Bill passed there unanimously on the 6th of February with great haste. The west is represented largely, particularly the provinces of Saskatchewan and Alberta where this damaged grain is, by members in that House. They were unanimous in favour of passing the Bill, and in great haste. On page 2628 of 'Hansard' of February 6. I read this:

Mr. OLIVER. The liability to damage would not be a sufficient reason for giving the warehouse commissioner the extraordinary authority proposed. Such authority should not be given, unless the conditions were such as might be expressed in these words:

All places where the grain is damped and is liable to be destroyed by reason of that condition.

There must be the existence of the condition which, under ordinary circumstances, is going to produce destructive results, rather than the double proposition that where the grain is damp or where it is liable to damage.

Mr. FOSTER (North Toronto). It is not the word 'or' which is used. If it were I would take the same objection. The word 'and' is used where the grain is damp and liable to become damaged. It is the one condition which threatens destruction.

Mr. OLIVER. Then I withdraw my objection to the Bill, because it is only to go into effect in connection with the existing Act, but I give notice that when he proposes to introduce some amendment into the Act before us, we may give it further consideration.

The Bill passed the House of Commons unanimously. As there is urgency, and there is a request from the representatives from the west to have this Bill go through, it is no use for us to delay it for two or three weeks, because then the damage will be done, if the weather turns warm. I think it is our duty to pass it immediately, and that the Governor should come down and give assent to it at once, so that the people

who are suffering with damaged grain will have an opportunity to save it from utter ruin.

Hon. Mr. WATSON—I trust that this House will not delay the Bill for one hour. My friend from Saskatchewan seems solicitous as to the grain growers' suggestions, but if he had watched the proceedings connected with this Bill he would find that the House of Commons passed it under suspension of rules, at every stage, I think, for the purpose of providing for the emergency. So far as I am concerned personally as a member of this Senate, having some knowledge of the Northwest, I do not purpose waiting until any section of men, grain growers or otherwise, suggest legislation to be passed, if it is in the interests of that country. I think we should be sufficiently well informed, and my friend from Prince Albert is sufficiently well informed about this legislation, without waiting for the grain growers or anybody else; but I cannot understand why he should suggest that the Bill be delayed for two or three weeks for the purpose of hearing from some person in the west. This legislation provides for only two things in emergency cases. They have to do certain things under the Grain Act; that is, when an elevator is liable to break down the commissioner can make a special order to relieve the situation by providing a certain number of cars to take care of the produce in that elevator, or when grain is heated. In this particular case, the grain that is damaged and liable to become worthless is not heated grain, and is not in an elevator that is breaking down, but is in a warehouse, in the farmers' granary, in bins on the field, in sacks piled up at the stations on the platforms. That is the grain that is provided for in this Bill, and without such legislation the commissioners would have no power to make a special order to direct the movement of cars for relieving that situation. This is special legislation provided for that purpose, and I say that the legislation is right. I regret it is brought down so late. If it had been passed a month ago and the commission had used discretion placing cars and making special orders, I have no doubt thousands of bushels of grain would have been saved, because it is only a few weeks when the weather becomes warm that this wheat will be destroyed, and once it is heated in the bin it is of no use for milling purposes and has very much deteriorated for feeding purposes. I know the fear suggested by some of those grain growers—a fear that was expressed by some people during the distribution of cars in connection with the car order book. A man who had some influence with the railway companies exercised that influence by directing the distribution of cars to his friends; but I think that is pretty well over now, because where the companies have been prosecuted for not delivering cars according to the order book, they have been very careful not to allow anybody to interfere with the distribution of cars. The commissioner will have a great responsibility thrown on him when this legislation passes. He may make mistakes; he may not send the cars in the right direction at all times, because it will be impossible for him to make the investigation. I think the situation is so well known and manifest among the grain men of the west and to the commissioners that he will know where the greatest need is for cars for immediate relief. I believe the railway companies will honestly try to relieve the situation to the utmost of their ability; but they have not got the cars, and if they have the cars they have not the motive power to move them; consequently there is a blockade. However this Bill is in the right direction and should relieve the situation to quite an extent; I trust there will be no delay in passing the legislation, in order that the country shall get the benefit of it, by enabling the commissioners to direct the cars in the right direction for the relief of the situation.

Hon. Mr. DAVIS—My hon. friend is not very logical. He has put up a man of straw and knocked him down, for he knows that all over the west there is a certain amount of damaged wheat, and that it is not confined to any particular part of the west.

Hon. Mr. WATSON—I have said so.

Hon. Mr. DAVIS—If it were, there might be some sense in this proposition; but does it not occur to the hon. gentleman that where there are not enough cars to remove a third of the grain at the present

time, if a commissioner orders a lot of cars to a certain part of the west the other parts are going to suffer? My hon. friend says: 'Put this Bill through and relieve the situation at once.' Does he mean to tell me that where there are not a third of the cars necessary he is going to relieve the situation at once? This is simply tommy rot. If you send cars away from one part to another, somebody where the cars were will lose. There is now on the statute-book a fair, square law under which everybody will get a fair share of the cars available, and if a man loses a certain amount of wheat in one section, hasn't he as much right to stand a certain amount of loss as another man has to lose his whole crop? It is better that every man should get a share of the cars than that some man who had a pull would get his whole crop to market where others would not get a car at all. The fair distribution of cars is already provided for, and I contend that it is wrong to interfere with it in any possible shape or form. You cannot do it without injuring somebody.

Hon. Mr. EDWARDS—The case appears to be just this: that under the laws as they exist to-day cars must be uniformly distributed. There is now a condition in the west where a large amount of property is in danger of being destroyed. A temportry arrangement is suggested whereby the grain that is secure and is all right shall temporarily remain in that position and allow the grain which is liable to be destroyed within a short period of time to be dealt with; and I am amazed beyond measure that there is a man in Canada who would for one moment oppose such legislation. The case is exactly parallel to a condition where a neighbour's house is burning down, and you stay by your own house to protect it where there is no danger, while your neighbour's house is being destroyed. It would be a crime if parliament does not pass this legislation, and without one moment's delay.

Hon. Mr. DAVIS—My hon. friend would like to order all the fire engines and hose to one man's house and let the other man's house burn down. That is about the logic of the statement he has made. Suppose there are ten men's houses burning down, he would want to order the fire engines out to quench the fire at some man's house with whom he was, perhaps, a little more friendly than somebody else, and the other eight or nine men might let their houses go up in smoke.

Hon. Mr. DOUGLAS. Within the last two days I have received papers from the grain growers of Saskatchewan containing resolutions passed at meetings assembled, attended by about a thousand people in Regina, to consider this whole question. Those papers and resolutions are on my desk in my private room. One of them bears upon this subject exactly. They are jealous of any tampering with the principle upon which car distribution is based. Those are not men interested in the business; those are not men who are——

Hon. Mr. LOUGHEED—Without any damaged grain; they have no damaged grain.

Hon. Mr. DOUGLAS—They have damaged grain; there is no doubt about it.

In one of those resolutions—which I cannot produce at the moment, but you will take my word for it—the principle was carefully guarded that men whose wheat is being damaged will sacrifice their grain rather than sacrifice the principle governing the distribution of cars that is referred to in the Bill and is now law. They are determined that it shall not be tampered with; and why? Because it is based upon the principle of equity and of justice to every man, and you cannot carry out this resolution that is proposed to give relief even though it be temporary. If you help one man you are bound to do injury to half a dozen more; and if the great zeal to help the farmer, about which hon. gentlemen have spoken, is to be of any importance in connection with this Bill, it has been very slow to express itself. Where has been the sympathy of the railway companies since January 1 when the grain was in the fields? What were they doing with their rolling stock and with their moving machinery? I sold my grain before that, although it stood in the yard for days, into the second week, and not a wheel was turned to take it away. This inadequate service has continued up to date, and now

there is great zeal for the farmers who have grain in the fields or grain in their granaries. I have grain in my granaries and it is in as good shape as need be; it is suffering no damage. It is being cared for. It is true there is a good deal of grain that has not been drawn to market, but if the cars were available, the highways would be thronged with teamsters getting their wheat to the market; but supposing the statement goes forth that there has been a great deal of sympathy for the producing public in parliament, will that relieve their condition? They will have to go to work when they get in there and build granaries to take care of their grain until the companies are able to move it. You may just as well take time to consider. Let this Bill be taken under consideration with the government Bill which will come before us probably within a week, and then we can intelligently deal with the whole question. I am quite satisfied, and I would not speak so strongly were I not firmly convinced, that this is not a movement on the part of the men whose grain is perishing. It is an afterthought of other parties concerned; the men at Winnipeg as well as the railway companies. They can make more money out of damaged grain than they can out of good grain. I have been told by dealers in Montreal that when there was damaged grain in the west they were overjoyed. They say they have no margin on good grain. If there is frozen grain in the west, they can mix it with good grain and handle it to their own advantage. With good grain they cannot do anything like that. If the delay of this Bill is granted I will bring documents from the farmers who assembled a few days ago in Regina to show that they are directly in opposition to any temporizing with this principle of the distribution of cars. If you tamper with that to any extent, you will simply set the grain legislation back fifteen years. It will be retrogression instead of progress. It is absurd to pass special legislation for seed grain at this season. We have often given out seed grain through the government in past years. No one would have thought of special legislation for the purpose. I do not think the people of the Northwest are so poor now that they need any such help. There is abundance of good seed in the country, and these conditions are only a pretext to get an opportunity of upsetting the principle which has been and is now so dear to the farmers. Under the existing law they have justice, man for man, when they go to a railway company for cars to ship their grain. We can remember the time when the railway companies issued circulars to their agents all over the country saying that no car should be given to any producer of grain, but under the existing law the agent must distribute the cars, not only to the buyers, but to the producers of the grain. The old monopoly has been broken up and it has put from seven to ten cents a bushel into the pockets of the farmers, since they can sell their own grain instead of passing it through the elevators. The object of this Bill is to restore the monopoly which the people fought in years past. I shall lay on the table of this House the statements of people who have a right to speak.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman can do that at the third reading.

Hon. Mr. DOUGLAS—I do not press for two weeks' delay. If hon. gentlemen think that time is too long, and we can have the government Bill before us inside of a week, I am quite satisfied.

Hon. Mr. DAVIS—I want more information about this Bill. The last clause of it deals with the distribution of seed grain. Does the representative of the government here mean to tell us that it is absolutely necessary to rush this Bill through parliament in order to be able to distribute seed grain in February? Or is this a few flowers to dress this thing up and conceal the tail? Generally the sting is in the tail; but in this case they put the flowers on the tail and the sting is in the middle. Why is this legislation necessary? Is anybody in the west asking for seed grain, or have petitions been presented to the government asking for a distribution of seed grain at this time of the year? It is the duty of the railway companies to furnish all the

rolling stock necessary for the removal of the crops, and any company whose stock is selling at $300, and whose revenue is larger than that of the whole Dominion of Canada, can well afford to supply enough cars to move the crop. We have heard of trouble recently over cars in the west, but if this Bill is put on the statute-book, and the commissioner can order cars to be sent to one place, and leave other places without cars, there will be more trouble in the west. There should be a fair distribution. I do not ask for an indefinite delay of this Bill. From the way the Grain Bill is being put through the House of Commons, I do not expect it will reach the Senate for thirty days yet, and it will be thirty days later before it can be assented to. My hon. friend says this Bill is to meet an emergency. Will my hon. friend agree when the Grain Bill comes down to repeal this measure?

Hon. Mr. LOUGHEED—When the Grain Bill comes down—and I do not think there is any doubut about its being down next week—all the old legislation, including this if it goes through, will be repealed and the whole discussion can take place on its merits in the new grain Bill.

Hon. Mr. DAVIS—Possession is nine parts of the law. You may say you are going to repeal it—

Hon. Mr. LOUGHEED—All legislation will be repealed.

Hon. Mr. DAVIS—That is encouraging. We consider that this legislation is simply got up for the purpose of depriving the farmers of a right which they only succeeded in securing after fighting for years. My hon. friend tells me this Bill will be repealed. If he guarantees that this Bill will be repealed—

Hon. Mr. LOUGHEED—All the legislation touching grain will be repealed and placed in the new Bill.

Hon. Mr. DAVIS—My hon. friend says this is an emergency measure the object of which is to move all this damaged grain, and he says the Grain Bill will be here next week. If so, what is the use of putting this through?

Hon. Mr. LOUGHEED—It may take a couple of weeks to put the other Bill through.

Hon. Mr. DANDURAND—And we may not repeal this.

Hon. Mr. DAVIS—That is exactly what I think, and that is why it is put here, to get it passed. It will be claimed as a vested right, and it will be harder to repeal than to enact it. When it is once on the statute-book, it will be hard to get it off. There is no terrible hurry. One day will not make much difference. You cannot possibly enact this legislation without doing somebody an injury, and I should like to have it delayed a few days until we can consult with the people who are most interested, the farmers of the west.

Hon. Mr. TALBOT—This Bill was introduced in the House of Commons on the second of this month, and the Minister of Trade and Commerce made this remark:

All the representatives of the different interests, including the railways, are favourable to this being done.

At that particular time, there were some representative farmers, of Saskatchewan and Alberta and Manitoba in Ottawa. They had been consulting the Minister of Trade and Commerce on many things. No doubt they consulted him on this, or were consulted by him. I should like the hon. leader of the House to tell us if these farmers were in favour of this Bill at that time. If so, I will support it; if not, I shall vote against it.

Hon. Mr. LOUGHEED—I really cannot give the information. I do not know the names of the people who approached the Minister of Trade and Commerce If the Minister of Trade and Commerce made that statement I fancy his reputation for truth is sufficiently good, and that the public can rely on it.

Hon. Mr. TALBOT—It says the different interests, but does not state what interest.

The amendment was declared lost.

Hon. Mr. FORGET—We are all representatives of the west and hon. gentlemen must not imagine we are fooling away time. If we thought this Bill is really

meant to do what it is claimed to do, we certainly would accept it without hesitation I quite understand the impatience of hon. gentlemen like my hon. friend who spoke so strongly on the subject, because he is firmly convinced that the Bill is a proper one. Although the measure looks simple enough it is not at all plain to me, and I should like to see it postponed until to-morrow.

Hon. Mr. LOUGHEED—My hon. friend can speak on the third reading to-morrow if he wishes.

Hon. Mr. FORGET—If the matter is so urgent, how is it that the Bill was passed in the Commons on the 6th February, and only reaches us now?

Hon. Mr. LOUGHEED—It passed through the different stages and was sent up to the Senate.

Hon. Mr. DAVIS—Why did the hon. gentleman not suspend the rules? If it was so urgent the rules could have been suspended.

Hon. Mr. LOUGHEED — That request would have been met with the same opposition we have experienced to-day.

Hon. Mr. FORGET—If I am to have an opportunity of speaking on the third reading, I have no further objection.

The clause was adopted.

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

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

THE SENATE.

THURSDAY, February 15, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

REVILLON FRERES TRADING COMPANY BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. GIBSON, from the Committee on Banking and Commerce, reported Bill (F) An Act to incorporate Revillon Freres Trading Company Limited, with amendments.

Hon. Mr. FORGET.

Hon. Sir RICHARD SCOTT moved that the report be adopted. He said: As the Bill was drafted and passed last year, there was a schedule transferred to the incorporated company. It was thought the simpler and better way would be to name two directors, with residence in Montreal, as attorneys, to ascertain the assets of the company, when it became incorporated. The company was incorporated first in 1894, but never was organized in consequence of the absence of the directors. There are only two directors in this country.

Hon. Mr. BEIQUE—I regret that I was absent from the committee when the Bill was reported. I am in accord with the general purposes of the Bill. I think it was a necessity under the special circumstances: but there is one clause to which I should like to draw attention, which is a new departure entirely from the general Act, and the policy of both branches of parliament. It is a clause whereby power is given to the directors to vote by proxy. It is made very offensive—if I may use the expression—in this case, because it would allow one director to give three votes, his own vote and two other votes as representing the two other directors, while the meeting of the board might consist of himself and another director. Therefore, it would give to one man the whole conduct and management of the company. For my part, I am unable to assent to that or to depart from the general law and the policy heretofore followed, that the powers of directors should not be delegated to be exercised by proxy. I call attention to this and ask that the clause be removed from the Bill. Last session, when the Bill was entrusted to me, and when it was passed, I insisted on a clause of that kind being removed from the Bill as it had been drafted.

The SPEAKER—In accordance with the rules, two days' notice should be given of any material amendment.

Hon. Sir RICHARD SCOTT—I do not consider this amendment material.

Hon. Mr. DANDURAND—If the Bill is to be considered to-morrow, except it be the intention to move for a reference of the Bill

back to the committee to amend it, I would suggest that if it is the intention of any one to move any amendment to the report, notice should be given of it to-day, as it is a private Bill.

Hon. Mr. GIBSON—I move that the report be received and that it be considered to-morrow. With regard to what my hon. friend says about directors being empowered to vote by proxy, every one knows that directors are very largely given that power by the shareholders. The president or vice-president receives all the proxies.

Hon. Mr. BEIQUE—No.

Hon. Mr. DANDURAND—The hon. gentleman refers to the shareholders, but this is another matter; this is the directors.

Hon. Mr. GIBSON—What is the difference?

The motion was agreed to.

INQUIRIES ACT.

MOTION.

Rt. Hon. Sir RICHARD CARTWRIGHT moved:

That an order of the Senate do issue for a return showing:—
1. Names of commissioners appointed under the Inquiries Act, or otherwise for purposes of investigation.
2. Objects of such investigation and copies of instructions to such commissioners.
3. Salaries or allowances to be paid to them severally per diem or otherwise.

He said: Perhaps my hon. friend can bring down the return and a reply to the inquiry that follows it on Thursday.

Hon. Mr. LOUGHEED—I have no objection. I think I shall be able to do that.

FISHING LICENSES IN BRITISH COLUMBIA.

INQUIRY.

Hon. Mr. MACDONALD (British Columbia) inquired:

Now many licenses have been issued for salmon and herring fishing in British Columbia for the year 1911 to white fisherman and Japanese, respectively?

He said: I am asking for this information on account of remarks made in the other branch of parliament as to complaints that fishermen make that the Japanese are monopolizing all the fisheries in British Columbia. I think it is only right that the government and those members of parliament, and the people should know exactly how matters stand. I do not myself know how many licenses have been issued to Japanese and whites respectively, but I dare say the officials of the department will be able to tell us. I do not know what the Japanese are doing, although they deserve a great deal of credit for the developments they have made in British Columbia. Herring fishing in Nanaimo has never been taken up by white people, and in the last three or four years the Japanese fishermen have gone in and cured thousands of tons of herrings and shipped them off to Japan. In doing that, of course, they help trade by buying supplies and materials of all kinds, twine, and lumber and food—and they provide return cargo for ships. Therefore, I think they ought to be treated fairly, whatever they are doing, and not be shut out. There is plenty of room in that part of the country for white men and Japanese to prosecute fishing as an industry. This year the fish are so plentiful that scow loads have been taken away to the American side at Seattle. Sometimes the beaches are strewn with millions of herrings that are pressed in from the ocean. There is, therefore, plenty of room for white men and for Japanese also.

Hon. Mr. LOUGHEED—The nationality of fishermen holding fishing licenses is not on record in the department; but the government have telegraphed to Victoria for this information, and it will be forthcoming in a few days.

CATTLE DISEASE IN PICTOU.

INQUIRY.

Hon. Mr. BELL inquired:

Has the attention of the government been called to the continued ravages of the Pictou county cattle disease in the counties of Pictou and Antigonish?
2. As to what measures have been taken or are under consideration for the extirpation of this disease among cattle and horses?

He said: I wish to make a few remarks before the question is answered. I

dare say many members of this House have heard of the Pictou county cattle disease, which originated at or near the town of Pictou about 60 years ago, and which has extended through the counties of Pictou and Antigonish and has continued to destroy a great many cattle and horses from that day to this. A great deal of attention was paid to it in past years by the federal government. For a long time attempts were made to deal with the disease, and a large amount of money was expended at different times in making partial payments to the farmers for animals destroyed. During the years 1903-4-5 and 6 the Department of Agriculture carried on a series of experiments, the result of which determined that the disease was not contagious and could not be dealt with under the Contagious Diseases Act. They attributed it altogether to the eating of a certain weed, known as 'Stinking Willie,' a very common weed in Nova Scotia, and I believe in Scotland as well, but which does not seem to affect the cattle in other districts in this particular way. The department having come to the conclusion that the disease was due to the cattle eating this weed, they decided they could not do anything more under the Act. Since this decision they have done nothing to relieve or assist the farmers who are suffering from this plague. I believe an official of the department reported not long ago that the disease was not now as prevalent as before. Instead of that being the case, however, I have been informed on good authority that the disease is increasing in severity, and I shall submit a few figures to show the extent to which the farmers of that locality are being injured. The disease made its appearance in the county of Pictou. It has continued ever since to progress, always in an easterly direction, until now it has crossed entirely the eastern part of the county of Pictou, and is prevalent in the adjacent county of Antigonish, always making progress in the same direction. It is not now so prevalent in that part of the county of Pictou in which it first prevailed, but it is apparently increasing in virulence and destructiveness in the county of Antigonish, and parts of the county of Pictou. Individual cases make their appearance from time to time where it is not now common as at first. The matter has been brought to my attention by the Rev. J. J. McKinnon, P.P., Pictou county, whose parish is just about the centre of the infected area which extends from Ponds in the county of Pictou to Fairmount in the county of Antigonish, a distance of thirty miles, over a tract of country five miles in width, with an area of about one hundred and fifty square miles, and the disease is increasing in destructiveness. The priest has given me certain figures, not to cover the whole period during which this disease has worked its ravages in that country, but during 1909-10-11.

These figures show that in that part of the county of Pictou thirty farmers have in these three years sustained losses amounting to $5,950, and in Antigonish sixty-five farmers have lost $7,564. The disease has been prevalent for fifty years, but the reverend gentleman has collected figures for only three years, and he informs me that those are only partial returns. For some of those to whom he has written have failed to furnish information. I understand that the department has information to the effect that this disease is decreasing, but the figures submitted by the Rev. Mr. McKinnon, show that it is increasing. For instance, in 1909, in the district in question, forty-nine cattle and thirteen horses were lost; in 1910, ninety-seven cattle and fifteen horses, and in 1911, 124 cattle and 17 horses. In the first years in which this disease prevailed, it affected cattle only, but afterwards it destroyed horses as well, and the proportion of horses lost in that section of the country is increasing steadily.

Hon. Mr. WATSON—What is the proportion of cattle to horses that are being lost?

Hon. Mr. BELL—In 1909, six per cent; in 1910, 14 per cent, and in 1911, 23 per cent of horses.

Hon. Mr. WATSON—What is the total percentage of the stock in that district?

Hon. Mr. BELL—I cannot tell. I am merely calling attention to the fact that in the first year of the plague horses were little affected, but the percentage of loss is increasing. It is noticeable in connection

with this disease that the parts of the country which have been affected by it for a long time show the largest percentage of deaths in horses as compared with cattle. In the first years that it prevailed, Pictou county alone was affected. The percentage of deaths of horses increased regularly; but when it got to the county of Antigonish, in 1910, sixty-five cattle died, and only four horses, showing a percentage of six per cent, while in 1911, 124 cattle and 17 horses died, showing an increase to 13 per cent in loss of horses. I want to show what an important matter this is to the agriculturist.

Hon. Mr. GIBSON—Has no effort been made to eradicate this weed?

Hon. Mr. BELL—I will deal with that in a moment. It having been determined by the experts of the department what is the cause of the disease, the question which the hon. gentleman puts is a very proper one. An effort has been made. We have Acts in the province which authorize or order the destruction of the weed, and farmers are required to eradicate it from their property, and the local authorities to cut it from the road side, but I am sorry to say that the order is not generally obeyed. It may be to a certain extent, where the disease prevails, but rag wort is well known in Nova Scotia, and while it is possible to destroy it in cultivated lands, it grows in enormous quantities in partially cut and cleared lands, and in waste land where it would be utterly impossible to destroy it. The secretary for agriculture of the provincial government, to whom this matter was referred, attended a meeting of the Provincial Agricultural Association, where the farmers had assembled, and passed a resolution asking the government to destroy this weed. He affirmed that a million dollars would not be sufficient to destroy it completely, and I think he is perfectly right. The cost of cutting it down in open ground is comparatively trifling, but when you go into broken and waste land the amount of work a man could show for ten hours labour would be insignificant. I believe it is impossible to exterminate the weed. I want to show what it means to the individual farmer. I have here in the statement prepared by the Rev. Mr. McKinnon, a list of the parties who have sustained these losses, and it shows that one has lost $445, another $470, another $485, another $490, and one farmer has lost $580 in three years. In many cases, of course, these losses fall on women. These figures are startling. I need scarcely tell hon. gentlemen that an ordinary farmer endeavouring to make a living on a hundred acre farm in eastern Canada is absolutely incapable of standing up against such a loss, and is ruined. My reverend correspondent tells me, that this is becoming a very serious question, that people are beginning to lose hope and are abandoning their farms. I feel that the Senate is the place in which a matter of this kind should be taken up and discussed. We are in a position to devote some time to the subject, and we are, particularly at this time, disposed to give attention to agricultural questions, because we know it is the policy of the present government to devote special attention to agriculture and make it a matter of more importance to assist the farmer.

Hon. Mr. DAVID—Is not this a local matter, and should not these people apply to the local government?

Hon. Mr. BELL—We are not so sensitive in Nova Scotia about provincial rights as my hon. friend, and we are perfectly willing to receive assistance from the Dominion, and let the Dominion authorities grapple with the problem. If evidence were brought before us here to show that a county in Quebec, or any other province was suffering from a cattle plague, making it impossible for the people of that community to prosper, or even exist, then I say we should come to their assistance and do something for them.

Hon. Mr. EDWARDS—It is quite within the scope of the Dominion government. Has this matter been brought to the notice of the veterinary authorities of the Dominion government, and have they taken any action in the matter?

Hon. Mr. BELL—Evidently the hon. gentleman did not hear the early part of my remarks. I said that for twenty years or more this matter had engaged the attention of the Dominion government, and a grant was made by parliament to combat the disease; but in 1903-4-5 and 1906, investigations

were conducted by the Veterinary Department, as a result of which the official in charge decided that this was not a contagious disease, and therefore the government cannot deal with it, under the Contagious Diseases Act, and they have done nothing more.

What I want to call attention to is that this disease is inflicting losses upon the people of that locality to an extent greater than they can bear. It is depopulating the place, and there is no particular reason to believe that it will not extend further. So far as I know, it has not reached the eastern counties of the province in Cape Breton, but it is very near there, and if it should pass into those counties I have no doubt its ravages would be just as severe as on the mainland of Nova Scotia. If that should be the case, it would force those farmers into a most unfortunate position.

Hon. Mr. WATSON—What does the hon. gentleman suggest? What could the government do?

Hon. Mr. BELL—I think further inquiry should be made into the matter. A great many people believe that the conclusion reached by the experts of the department is not satisfactory. If rag-wort in that locality is causing this disease, it is very singular that nowhere else is this disease known, although rag-wort is very widely known in Scotland, and in some portions of America. The disease has been named 'the Pictou county cattle disease,' and it first made its appearance in the town of Pictou when some foreign hides were landed there. It has spread continuously, and it is somewhat singular that it always moves east, not west. I believe the disease is contagious, and I do not find it easy to concede that it is caused by the ragwort, or 'Stinking Willie' as it is popularly known. For these reasons, I think an effort should be made to induce the department to come to the assistance of the people to this extent at least, if nothing more—that they make further inquiry into the matter and see if they cannot determine that possibly there is a contagious feature in the disease. I think the government would be warranted in giving some measure of relief to the farmers. We cannot safely see any portion of the country depopulated; we cannot see any particular section of our fellow citizens driven out of the country by misfortune or by plague, and this is unquestionably a plague. I believe it would be perfectly justifiable on the part of the government to consider the matter, and either furnish a remedy or give relief to those people who are being driven from their farms and practically out of localities where they have been brought up, by what is, as far as we can see, a visitation of Providence. In early years not much precaution was taken against contagion; but now diseased animals are buried or destroyed so as to prevent contagion, and the farmers are doing everything they can to stamp it out. It is quite easy for hon. gentlemen to understand the position in which a poor farmer finds himself when he has to bear a loss of $400 to $600 in the course of three years.

Hon. Mr. GIBSON—Has not the government of Nova Scotia come to the aid of those people?

Hon. Mr. BELL—No.

Hon. Mr. GIBSON—Did you apply for it?

Hon. Mr. BELL—Yes. Assistance thus far has been given altogether by this government, and I believed that they would do something more for us. As the matter now stands in the department, they have decided that they have nothing further to do. Their expert has decided that it is not a contagious disease, and, therefore, they say they cannot do anything for it under the Contagious Diseases Act, which I suppose is a logical view to take; but it will not do to rely altogether on an unsatisfactory conclusion arrived at by scientists when the people are being driven to want and destitution and compelled to leave the property on which they were born.

Hon. Mr. LOUGHEED—The answer of the government is somewhat lengthy and rather technical. It is as follows:

1. No. A report received from a veterinary inspector of the department in June, 1910, stated that the disease was not nearly so prevalent as in previous years.

2. In view of the fact that it was clearly shown by the feeding experiments conducted

by the department near Antigonish in the years 1903-4-5-6, (see report on Pictou Cattle disease, issued 1907) that the disease was due to the ingestion of the weed known as Ragwort, or 'Stinking Willie' (Senecio Jacoboea) and was therefore not of a contagious nature, it has not been possible for the department to take any action in connection with it, under the Animal Contagious Diseases Act. The control of noxious weeds is, in any case, a matter usually dealt with by provincial authorities.

Schools and other local institutions have taken active steps towards the eradication of rag-wort in many districts.

Copy of report forwarded herewith.

There is attached also to the answer a special report prepared by the Department of Agriculture in 1906, touching this particular matter. I shall therefore lay on the table the answer which has been sent me, and my hon. friend can peruse the report, and perhaps it will throw light on the subject.

Hon. Mr. POWER—The matter to which the hon. gentleman from New Glasgow has called attention is a very important one, and I wish to direct the attention of the leader of this House, in the hope that he may direct the attention of his colleague the Minister of Railways, to the fact that the railway has been the means of disseminating this pernicious weed through other parts of the province.

Hon. Mr. LOUGHEED—The control of obnoxious weeds is a matter dealt with by provincial authorities. As it arises from this particular cause pointed out by my hon. friend, it would appear that a grave responsibility is thrown on the provincial government, who should take active steps to stamp out the disease. The Federal government have done the best they could within such authority as they can exercise, but that does not absolve the provincial authorities from taking every possible means to prevent the destruction of live stock by this weed.

Hon. Mr. POWER—And that the railway should not distribute the disease.

Hon. Mr. LOUGHEED—I am not aware of that fact.

Rt. Hon. Sir RICHARD CARTWRIGHT—If it is a contagious disease, should not the government pay a considerable portion of the cost of the destruction of its cause?

Hon. Mr. LOUGHEED—I do not know that it can be regarded as a contagious disease. It is apparently a local disease arising from local conditions. I doubt if it would come under the Contagious Diseases Act.

Hon. Mr. BELL—For a long time the government controlled this matter by appointing inspectors, and when it was determined that an animal was suffering from the disease it was ordered to be slaughtered, and a third of the value of the animal was paid to the owner. That was in 1906, when Sir Richard Cartwright was a member of the government; but from the time the departmental experts decided that the disease was not contagious, the government thought they were not justified in continuing to exercise supervision and they have abandoned it.

Hon. Mr. WATSON—I do not think a lengthy speech on a subject of this kind should go unanswered. This is no reflection on the government, and they are not justified in paying for these cattle. It has been determined that the disease is not contagious, and has nothing to do with the adminstration of the Department of Agriculture. The statement made to-day is that in that particular locality certain weeds grow which poison the horses and cattle that feed on it. If a man takes up a section of country in the Northwest and finds that he cannot raise horses on it he drops the venture and tries to raise something else. It is like the Irishman who was trying to raise chickens. The water came into his cellar and drowned them, and his friend said to him, 'Why don't you raise ducks.' The government would be going out of its way to pay losses to people who are trying to raise something in any part of the Dominion which is not profitable and cannot be raised. There are only two things for those people to do; stop raising stock or get rid of the weed. Why should the public be taxed for the losses of those farmers when the disease is not contagious?

Rt. Hon. Sir RICHARD CARTWRIGHT—Because the people of Canada are taxed

in a great many cases for producing manufactures which cannot be produced except at the expense of the people at large.

Hon. Mr. WATSON—A very good answer.

APPOINTMENTS TO THE INTERCOLONIAL RAILWAY SERVICE.

MOTION.

Hon. Mr. ELLIS moved:

That an order of the Senate do issue for a return showing the names, position and pay of all persons appointed to the Intercolonial railway service in the city of St. John, N.B., from the first day of September, 1907, to the first day of March, 1911.

The motion was agreed to.

BOUNTIES ON IRON AND STEEL.

INQUIRY.

Hon. Mr. CAMPBELL inquired:

1. What year did the government of Canada first grant bounties for the production of iron and steel?
2. How much bounty was given per ton for each year?
3. Have the bounties been discontinued, and if so, when?
4. What was the total amount of money paid out for the production of iron and steel in bounties and the names and amount paid to each firm or individual in each year?
5. Is it the intention of the government to renew the bounty, and if so, for how much per ton?
6. If the government decide to renew the bounties on iron and steel, will they also grant bounties for other manufactured goods for export to foreign countries, such, for instance, as flour, agricultural implements, farmers' products, such as beef, cattle, grain, &c., which would greatly stimulate the production of these goods and thus bring our exports up to more nearly balance our imports?

Hon. Mr. LOUGHEED—I have the answer to these questions in my hand. It is very lengthy and I will place it on the table.

Rt. Hon. Sir RICHARD CARTWRIGHT—Perhaps the hon. leader will give us the reply to the last portion of it. Question No. 6.

Hon. Mr. LOUGHEED—I would say to my right hon. friend that it is not the custom to make any announcement in a matter of this kind except in a budget speech, and as the budget will be presented very shortly my hon. friend will then be enlightened.

AN ADJOURNMENT.

Hon. Mr. LOUGHEED moved:

That when the Senate adjourn on Friday next, it do stand adjourned until Thursday, the 22nd instant, at three o'clock in the afternoon.

Hon. Mr. GIBSON—I move in amendment that when the Senate adjourn tomorrow it do stand adjourned until Tuesday the 27th instant.

After some discussion the Senate divided on the amendment which was rejected.

Contents 10, non-contents 34.

Hon. Mr. WATSON moved in amendment that when the Senate adjourns tomorrow it stands adjourned until Monday, the 26th inst.

The amendment was declared lost on a division.

The motion to adjourn until Thursday, the 22nd instant was agreed to

BILLS INTRODUCED.

Bill (Y) An Act respecting Motor Boats. —Hon. Mr. Derbyshire.

Bill (No. 95) An Act respecting the National Transcontinental Railway —Hon. Mr. Lougheed.

SASKATCHEWAN LIFE INSURANCE COMPANY'S BILL.

THIRD READING.

Hon. Mr. WATSON moved the third reading of Bill (No. 26) An Act to incorporate the Saskatchewan Life Insurance Company.

Hon. Mr. CAMPBELL—When this Bill was before the House some days ago I gave notice that on the third reading I would move that the name be changed to 'The Life Assurance Company of Saskatchewan.' I gave my reasons then for proposing this amendment. Last year we incorporated a company called the Alberta-Saskatchewan Insurance Company. The similarity of the two names would be very confusing, and I

thought it but right, before the third reading of the Bill, to change the name in the way I have indicated, or adopt some other name that would be a little different from that of the company we incorporated last year. I am from the province of Ontario, and this is a Bill relating to the province of Saskatchewan. It does not make any difference to me particularly what the Bill is called, but as the promoters desire that the original name be retained, I do not want to press the amendment. I leave the responsibility with the promoters of the Bill. If they insist on retaining the name, they will have to take the responsibility. I beg, therefore, to withdraw the amendment of which I gave notice.

Hon. Mr. GIBSON—There is no difficulty about the Bill, and no responsibility attaching to the promoters of the Bill. When it was in committee it passed unanimously. Surely the men who attended the meeting of the committee knew what they were doing. The objection which the hon. gentleman mentions was taken at that time, but there is so much difference between the Alberta and Saskatchewan and the Saskatchewan Life, that we could see no danger of confusion. When the attention of the Department of Insurance was called to the matter, the superintendent could see no similarity in the names, and thought the name given this company was a very appropriate one.

Hon. Mr. DANDURAND—There was some question in my mind that the name might cause confusion, but I am quite clear that the amendment of which notice was given would not have removed the difficulty, because the company would still be the Life Assurance Company of Saskatchewan, and the confusion, if any may be caused, would not be removed by the change of name as proposed.

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

THIRD READINGS.

Bill (No. 11) An Act respecting the Canadian Birkbeck Investment and Savings Company, and to change its name to the Canadian Mortgage Investment Company.—Hon. Mr. Kerr.

Bill (No. 57) An Act respecting the Union Bank of Canada.—Hon. Mr. Kirchhoffer.

Bill (I) An Act respecting the Trust and Loan Company of Canada.—Hon. Sir Richard Scott.

Bill (R) An Act for the relief of Herbert Horsfall.—Hon. Mr. Derbyshire.

Bill (S) An Act for the relief of Kenneth Molson.—Hon. Mr. Mitchell.

THE MANITOBA GRAIN ACT.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (No. 96) An Act to amend the Manitoba Grain Act.

He said: In moving the third reading of this Bill, I promised my hon. friend from Prince Albert (Hon. Mr. Davis) and some other hon. gentlemen, that I would inquire from the government on whose representations this Bill was introduced. I spoke to the hon. Minister of Trade and Commerce to-day on the subject, and he informed me that the grain growers of the west through their officials, expressed their sympathy and favour, and he gave me the following names: Mr. Frean, secretary, Alberta Grain Growers' Association; Messrs. Hopkins and Green, who, I understand, are the duly accredited officials of the Saskatchewan Grain Growers' Association, and Messrs. McKenzie and Henders, the duly accredited representatives of the Manitoba Grain Growers, and upon those, as well as other representations, the government recognized the necessity of introducing this legislation. I am further informed that in the event of the measure receiving its third reading to-day the Prime Minister will request the deputy of His Royal Highness the Governor General to come down to parliament to-morrow to give the Royal Assent to the Bill.

Hon. Mr. DAVIS—I am very much pleased to hear the explanation that has been given by the hon. gentleman who leads the House; but I happen to have in my hand a statement which was sent to me by the Grain Growers' Association of all the requests that they made to the Minister of Trade and Commerce when they were in Ottawa. They are all in typewritten form and were sent to me for the pur-

pose of guidance. While I do not wish to doubt or cast any reflections on the minister's statement of what these gentlemen may have said in private, I have here the public announcement of the Grain Growers' as a body, and within its four corners there is no indication that they wish this measure to pass. I will read from their memorandum, which is altogether different:

STATEMENT
PRESENTED TO THE MINISTER OF TRADE AND COMMERCE.
BY
GRAIN GROWERS DELEGATION.
February 4, 1912.

In view of the claims set forth by representatives of the railway so that car distribution clause of the Grain Act handicaps them in the free movement of railway equipment and is partly responsible for the congestion that now exists in the movement of grain from the western provinces, we wish to make the following statement:—

The clauses relating to car distribution for shipment of grain was first placed in the Manitoba Grain Act in 1902—amended in 1906 and again in 1908. Not till the latter amendment became effective did the growers of grain receive the full benefit of that provision of the Act. About one-third of the crops of 1908 and 1909 were loaded in cars by farmers over the loading platform. That quantity is reported by Mr. Peters of the Canadian Pacific railway as being reduced to 20 per cent or 23 per cent for the first four months of the 1911 crop. That statement may be correct as at any points where farmers used the loading platform freely the spread between street and track prices that used to be excessive is reduced to a minimum, consequently growers use the elevators instead of the platform.

I can find nothing different in it. They go on to say the number of cars that were loaded at the different platforms, with which I need not worry the House, and they show in this proposition that the fault is not with the farmers for not loading the cars promptly at the loading platforms, but rests with the railway corporations, which do not forward the cars to their destination in the time that they should take them. They have evidence to show that for two or three or four weeks cars are left on sidings here and there when they should be hauled to their destination at Fort William or Port Arthur. The railway companies blame the delay on the farmers because they say they do not load the cars. Everything has been done to discredit this proposition. That is the only clause in reference to the distribution of cars that we find in this statement that the farmers have given me here, and the only official statement made to the Minister of Trade and Commerce. For the guidance of members from the west, the Grain Growers' have prepared a statement of the different matters which they would wish to look after and safeguard during this session of parliament. They refer to this very proposition, and I will read it for the benefit of the House:

It has been rumored that section 207 of the Grain Bill will be considerably changed. This section is, we consider, one of the most important in the Act and one on which considerable time and attention should be bestowed before allowing any changes to be made. It gives a privilege to the farmer which is his only safeguard against the elevator interests and while a determined onslaught has repeatedly been made upon this provision yet the opponents of same have never yet been able to present any logical argument why a change should be made. Before this clause was added to the Grain Act the farmers were completely at the mercy of the interests, and if the clause is removed or in any way weakened by dangerous amendments which might be made to give two different meanings, conditions will be such that in a short time the farmers would find the car distribution and the general treatment they would receive from the railway companies and the elevator interests even more intolerable than they were before the clause was introduced into the Act.

Hon. Mr. WATSON—What clause is the hon. gentleman referring to?

Hon. Mr. DAVIS—To the provision enacted in this Bill before us. This memorandum expresses their views on any proposed amendments which may be made by this or any other House to the Grain Act. The memorandum proceeds:

While it may be possible to provide for permission being given to the commission after investigation to supply cars for seed grain, or upon petition of farmers for the removal of wet or damaged grain, or where there was suffering through shortage of fuel or food supplies, yet if there is any chance of the rights of the farmers being infringed by ambiguous or vaguely worded amendments introduced into the Bill it will be better for our interest as producers for the clause to remain as it now stands.

They do not want any amendments made that are not very clear and to my mind this proposed amendment is not clear. It reminds me of a story which I will relate to the House. A gentleman went to a solicitor and said, 'I want you to draw an agreement' and the solicitor said 'All right, what kind of an greement do you want?' The client said, 'I want you to

draw an agreement that will bind Goldstein, but will not bind me.' The people who are behind this proposed amendment have the best legal talent, any amount of money and expert lawyers to draw clauses which the ordinary man does not understand, but which will bind Goldstein, and will not bind them. What is the hurry in this matter? The Grain Bill will reach us in two or three days. If hon. gentlemen look at the statement made by the hon. gentleman from Leeds yesterday as to what the Minister of Interior said, they will see it is the intention of the western men to fight against that clause being inserted in the Bill. What is the use in passing it at the present time and placing it on the statute-book if it is to be repealed in a week or ten days? Are you going to get any benefit in the western country in eight or ten days from a proposition of that kind? Not at all. Then it will be urged 'We have not had the benefit from it, and if you leave it on the statute-book we will get the benefit perhaps later on.' There you have the principle of the Act attacked as it has been attacked for years. The farmers would rather have the Act remain as it is. I am willing to do this; if it is a matter of administration, place that power in the hands of the responsible minister. Let the government take the responsibility. Will the government agree to amend the Bill by saying that the minister may instruct the commissioner to do so and so? If so, I am willing to accept it. Or if my hon. friend will not allow the Bill to be amended in that way I am willing to accept a clause allowing action to be taken on a petition signed by twenty-five farmers. But I protest against the Bill as it stands because it is not in the interest of the farmers of the west. I ask the hon. gentleman to strike out the following words: 'The commissioner shall have power at his discretion,' and insert in their place, the 'minister may instruct the commissioner' to do so-and-so. Then in section 99b: 'The minister shall instruct the commissioner, &c.' We are quite willing to trust the minister, but we do not want to trust the officials.

Hon. Mr. LOUGHEED—My hon. friend is a good enough parliamentarian to know that the minister must assume the responsibility for the acts of his officials, and that it would be utterly impossible for a minister presiding over a department in Ottawa to acquaint himself with conditions two or three thousand miles away. He has to rely on the commissioner. The Bill, in my judgment, is quite effective as it is, and my hon. friend need not be apprehensive of any abuse being caused by it. If the Saskatchewan and Manitoba grain growers have approved of the Bill as they have done, my hon. friend is absolved from any responsibility for any evil effects which may flow from it.

Hon. Mr. DAVIS—I have here a statement showing that they have not approved of it.

Hon. Mr. LOUGHEED—My hon. friend has read from a document which purports to come from the Grain Growers' Association, and the only thing they object to, in that memorandum, is the ambiguous wording of any measure. That element does not enter into this Bill, and even from the document the hon. gentleman has quoted, the stamp of approval has been given to it.

Hon. Mr. DAVIS—If my hon. friend refuses to accept the amendment I proposed, would he have any objection to inserting: 'On a petition from 25 farmers?'

Hon. Mr. LOUGHEED—The government is charged with the responsibility of administering this Act, and they cannot delegate their authority to any 25 farmers.

Hon. Mr. DAVIS—There is no use beating around the bush or dodging the issue. I say the minister should not act until he gets a petition from 25 farmers. That is not delegating authority to anybody. If he takes that as a delegation of authority and objects to it on that ground, why does he require an affidavit that grain is heating or that an elevator has collapsed?

Hon Mr. LOUGHEED—Surely a responsible officer such as the warehouse commissioner is not going to sacrifice his reputation and risk his retention of office by

recklessly acting in a case of the kind. He must know what the conditions are, and when the conditions warrant setting the machinery in motion he must act. We have to rely on his discretion.

Hon. Mr. DAVIS—This looks like government by commission. If we have to delegate all powers to the commissioners, where does the responsibility of the minister come in? There should be some safeguard of the kind I have mentioned, and I see no reason why the amendment I offer should not be accepted. In the Land Act, we give discretion to the minister to do things, and I do not see that there is anything wrong in it. We say the minister shall instruct when a crisis arises, because this power is only supposed to be exercised when a crisis such as they claim at the present time exists in the west, occurs. We hope such a thing will not occur again in ten years; but we want to have the rights of the farmers safeguarded. I should like to provide that the minister shall take action and issue instructions when necessary. It is easy for the minister to make up his mind on the advice of somebody to give instructions by telegraph to release cars.

Hon. Mr. DOUGLAS—I have abundant evidence to show that all that was contended for is amply sustained by the reports in the leading newspaper in Winnipeg, the 'Free Press.' Our contention was that this Bill, simple and pathetic as it appears, and very emphatically presented on the pathetic side, had very little to do with any prospect of securing relief for the farmers under their present situation; it was rather an effort put forth by certain associations interested in the grain business, together, it may be, with railway officials. I desire to place on record the first article which appeared in the newspapers on this subject, which takes in the whole question. It is not simply the two clauses at the foot of the Bill, but I am going to speak to the question. The Bill is the outcome of this discussion in the papers and the communications that have been sent to the minister at Ottawa. The article is as follows:

CAR DISTRIBUTION STRONGLY ASSAILED.

Government Petitioned to Suspend Provision in Manitoba Grain Act.

Business Men Active.

Want Distribution of Cars Placed Under Control of Railway Commission.

The system of car distribution which had been a statutary provision of the Manitoba Grain Act for many years has never been favourably regarded by the grain-handling interests, which hold that it blocks the rapid transportation of grain and is unfair to the elevator owner and also to the small farmer who sells less than carload lots. The law puts every applicant for a car—whether an elevator or an individual farmer—on an absolute equality. Since the provision was first placed in the Grain Act in 1902 it has been periodically attacked; but its repeal or suspension has not been secured, the farmers rallying strongly in its defence.

The banking and wholesale interests of the city are now taking active part in a movement to bring about a modification of the system. The Canadian Credit Men's Association is preparing a petition to present to the Minister of Trade and Commerce at Ottawa, demanding the temporary suspension of the Manitoba Grain Act, in order to place the distribution of cars for grain transportation under the direct control of the Board of Railway Commissioners of Canada.

Mark this departure:

At a meeting of the bankers and businmen, held recently in the board room of the Great West Life Insurance Company, a committee was appointed to arrange with the Credit Men's Association to mail petitions to the retail trade and to farmers throughout the country, and to approach the jobbing houses with the request that they should co-operate with the association, by bringing the matter to the attention of their customers in order that prompt action should be secured.

At a meeting of the bankers and in the matter, which accompanies copies of the petition, the Credit Association attributes the present disastrous business situation to the opperation of section 59, chapter 28 of the Manitoba Grain Act, which it is asserted is working a hardship upon the wagon-load seller. They represent that the producers market eighty per cent of their grain through the elevators and that of this amount, sixty-one per cent, is purchased on the street by the wagon-load. That as soon as the country elevators are full of grain their doors, it is asserted must remain closed until it is made possible for them to obtain cars; and that it is only when the cars are available that the farmer is able to sell his grain by the wagon-load, and settle his store account.

The association states further that the measure of relief asked by the petition is only a partial solution for the very serious situation now facing producer and merchant alike, but that they ask it in order that grain which is already out of condition may be speedily transported to terminals having drying and other necessary treating facilities,

by which action a portion of the crop may be saved.

I wish to put on record this section and the petition, and hon. gentlemen can see that this is no farmers' movement; it is the trade, the grain men and the railways that are pressing for this, and they quote the Act they desire to put into the hands and under the control of the Board of Railway Commissioners for Canada. Section 59, chapter 28, of the Manitoba Grain Act, 1900, is the clause referred to as arbitrarily governing the distribution of cars, and is the one it is demanded shall be suspended. It reads thus:

If there is a failure at any shipping point to fill all car orders as aforesaid, the following provisions shall apply to the application for and the distribution of, cars:—

(a) Beginning at the top of the list in the order book and proceeding downward to the last name entered on the list, each applicant shall receive one car as quickly as cars can be supplied.

(b) When an applicant has loaded or cancelled a car allotted to him he may, if he requires another car, become eligible therefor by placing his name, together with the section, township and range in which he resides, or other sufficient designation of his residence, at the bottom of the list; and when the second car has been allotted to him and he has loaded or cancelled it, he may again write his name, together with such designation of his residence, at the bottom of the list; and so on until his requirements have been filled.

(c) No applicant shall have more than one unfilled order on the order book at any one time.

The suspension of the provision would make it possible for the railways to deliver a string of cars to an elevator and clear it out. At present, the elevator company can only get one car at a time in turn with each farmer applying.

It may be expected that farmers who have orders on the order book for cars for their grain will fiercely resist the proposal to suspend the car distribution provision. The issue will be fought out at Ottawa, where a conference is to be held shortly, at which representatives of the farmers, the elevators, and the railways, will be in attendance.

This is a copy of the petition upon which they base the change which they propose to make in the distribution. It reads:

The Honourable, the Minister of Trade and Commerce, Ottawa, Ontario.

Sir,—The undersigned would respectfully submit that the present situation in respect of the shipment of grain in the provinces of Manitoba, Saskatchwan and Alberta, is such as to demand some immediate and drastic action for the protection of the interests of the country at large. Under the law as at present enforced, such shipments are confined to those who have a sufficient quantity of grain to make up a car-load. The elevators, in respect of receipt of cars, are in no different position from the farmers, yet those producers constituting 61 per cent of those who ship grain in the said provinces, who are compelled to sell their grain by the wagon-load on the street, are unable to dispose of their produce in car-load lots, and are forced to rely upon the elevators. These latter are practically blocked, with the result that a very large quantity of grain in this country cannot be marketed, which otherwise would be, were it possible for the elevators to handle the grain as it is offered to them. In consequence, collections cannot be made and the business of the country is almost at a standstill. Moreover owing to climatic conditions during the past season, a large quantity of grain is in need of proper treatment as speedily as possible otherwise it will spoil. This would mean heavy loss to those who are not in a position to ship in larger quantities.

Your petitioners therefore pray that the clause in the Manitoba Grain Act, regulating the distribution of cars for grain shipment at country elevator points, be temporarily suspended and that the control and distribution of cars at such points be placed under the sole direction of the Board of Railway Commissioners of Canada with instructions to the commissioners that absolute impartiality be shown, and an equitable distribution be made, based on the necessities of the extraordinary situation prevailing, and so as to enable all of the producers to stand on the same footing in respect of the shipment of their crops and that the necessities of the farmers, as a whole, large and small, in each locality affected, shall be the basis to govern the said commission in the distribution of cars.

I have not read it all, neither have I read the strong defence that has been put in in opposition to this petition and in opposition to any proposed change in the principle of distribution. These gatherings have been busy with the preparation of arguments which show that it is not that specific section in the Act that has had anything to do with the hindering of the grain going forward. They argue in a very forcible way that on account of the unnecessary time occupied in grain being sent forward to the lakes by train it is impossible to overtake the business and get the relief that is desired. For example, from the time that a car is billed it is filled, and shipping bill or bill of lading is taken out and then sent forward, and the grain is supposed to be inspected at Winnipeg, or at the lakes; but the time that elapses from the taking out of the shipping bill until the car arrives at the lakes is a month or six weeks, and that delay has occurred not

through any defect in the legislation now on the statute-book. The farmers are not agitating in any sense to have it changed, but they want legislation to be directed towards the parties who have it in their power as common carriers to move the grain as soon as the car is laden, that it shall go forward in something like reasonable time. We have done this in several ways and by several methods, showing conclusively that this particular part of the Grain Act that was introduced into the Bill in 1906 had nothing whatever to do with the present delay and confusion. While this is set forth in the papers I hold in my hand and in discussions through the public press, I have also papers that were prepared within the last few days where an assembly of some thousand farmers met together in the city of Regina and passed resolutions. Strange to say, and my experience is like that of the previous speaker, I do not find a single expressed desire for this Bill, in these resolutions that were prepared and sent forward to us over the signature of the secretary of the meeting convened in the city of Regina on the 4th of February. Nor do we find it in the papers sent forth to the minister. Our contention is that there is a power behind and underneath this whole matter, and that this Bill, simple as it is, is an effort to get the thin end of the wedge in so that they may be able by and by to destroy, if possible, that clause in the Act that has stood for so many years as a protection to the business of the farmers generally. I spoke to a man from Regina in my room not long ago, and he said emphatically that the West will never stand for this legislation. They know the section in the Act has been a benefit to them, and they have felt it in their purses. They have as good a right as anybody to protect their own interests. We are told that this is good legislation and that it ought to have been passed four months ago. It would have been good legislation for the grain buyers and the elevator men—good legislation, but one-sided legislation in their favour. The principle of car distribution is on a basis of strict justice between man and man, and in making laws here we have no right to discriminate in favour of any class of men, or against the poorest or weakest man in the country who is producing grain and wishes to put it on the market in his own way. It has been said that because a man has not a full carload of grain, he ought to give way to the man who is buying grain and handling it in large quantities, and so reaping a large reward, far beyond that which the farmer himself may enjoy; but I claim that there should be equal opportunity given to all shippers. We spoke strongly yesterday; we are prepared to speak strongly to-day. We claim that this is not a farmers' movement, that they are not seeking relief in reference to their grain or its condition. The demand for this legislation comes from another source. I may be told that it is not well to question anybody's motives, but here we have the statement of the grain growers, and they say that they stand by car distribution. I do not want to be unreasonable and I have never been conscientiously unreasonable. My sole object is to seek the good of the people as a whole, and see justice done between man and man. I would be quite willing to second the proposition of the hon. member from Prince Albert, and leave the whole matter with the minister, who can issue instructions to the commissioner to give any relief that is in his power. If you ask me will it be effective, I frankly say I do not think it will be worth the paper on which it is written, because it is altogether out of time and will not accomplish anything. They will not be able to take out a load between this and the end of March. It will take a month or six weeks to carry grain from, say Moosejaw, or Regina, down to the lakes, and the relief that can be offered under this legislation must be meagre indeed. But here is the other point—the people are not asking for the Bill. I venture to say, without fear of contradiction, that there are men in that country who would sacrifice any damaged grain they have, or feed it to the hogs, before they would allow any tampering with that section of the Grain Act. The grain buyers, the elevator men and the banks want this legislation. We have often been asked who has the right to control the rolling stock if not the railway company. My answer to that is simply this, any railway company is a common carrier. It has received a charter from parliament to serve the public, to

make contracts at certain rates, with all who have freight to ship, and any man, whoever he may be, who offers freight to be moved from one part of the country to another, and is willing to pay the established rate, should be treated in the same way that all others are. It should not be a matter of choice with the railway company, but a matter of obligation upon them to enter into a contract and accept the freight and carry it to its destination.

So that it is not a matter of choice with the railways. They are common carriers in the service of the people. They have received large subsidies from the country, and the people have had to pay them, and we have for a long enough time paid heavy taxation in the excessively high rates which have been exacted from the farmers of the west. We have a right to say, 'You shall walk by the law and according to the law.' Let the rolling stock be devoted to the services of the whole country, every shipper being treated on equal footing and foundation. I would say a great deal more about these papers, but as the general Bill will be before us in a few days, we will be able to reach some definite conclusion in reference to the disputed points. I second the proposition which has been made by my hon. friend from Prince Albert.

Hon. Mr. TAYLOR--Let us look at this matter from the common-sense standpoint for a few moments, and not waste the whole day in discussing something which is not affected by the Bill. This is an amendment to the Manitoba Grain Act of 1906. If we pass this Bill to-day, the Governor gives it his assent to-morrow, and it goes into effect. The Bill before the House of Commons is a consolidation of all the Grain Acts, and as soon as it is passed by the Commons and Senate, and assented to by the Governor General it repeals the Manitoba Grain Act, the Manitoba Grain Inspection Act, and the Inspection and Sales Act. Therefore, as soon as we pass that Bill, the Manitoba Grain Act of 1906 is repealed.

Hon. Mr. DAVIS—Then what is the good of passing this Bill if we are going to repeal it next week?

Hon. Mr. TAYLOR—It will be in force three or four weeks, or until the end of the session, or whenever the Governor General assents to the consolidated Act. In the meantime this grain may be moved out of the country and saved, otherwise it will be lost. The Consolidated Grain Act will repeal the measure we are passing to-day. I think it is our duty to pass it immediately and have the Governor assent to it to-morrow.

Hon. Mr. FORGET—When this Bill was in committee I made an earnest request that it should remain as it was, stating that I would be in a position to-day to suggest something for the purpose of making its meaning a little more plain. It looks to me undigested; that is the only fault I find with it. But now that we are at the stage of the third reading of the Bill, it is rather late for any suggestion of the kind, and I, therefore, refrain from attempting any. Yesterday I was in doubt as to the real meaning of this Bill, but I have had time to study it, and in view of the assurances made yesterday by the leader of the government, and also repeated by some members on this side of the House, that this Bill was primarily intended for the purpose of relieving the serious situation in the west and to come practically to the relief of the farmer, and in view of the full assurances given us to-day by the leader of the government, that requests were lately made to the government for this legislation, I believe, as a member from the west, that it becomes my duty not to stand in the way of the passing of this Bill. Therefore, I withdraw any personal objection I might have against it, and shall vote heartily for its third reading.

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

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

SECOND READING POSTPONED.

Hon. Mr. McSWEENEY, in the absence of Hon. Mr. Domville, moved the second reading of Bill (C) An Act to amend the Senate and House of Commons Act.

Hon. Mr. LOUGHEED—I would point out to my hon. friend, and to the House, that this is clearly a money Bill, and in-

asmuch as the principle of the Bill must be involved in the discussion on the second reading, that it would not be proper that we should allow the Bill to receive the second reading without raising the point.

Hon. Mr. CLORAN—A money Bill in what sense?

Hon. Mr. LOUGHEED—In the language of this Bill.

Hon. Mr. CLORAN—If we are going to be blocked on every measure by the cry of 'money Bill' being raised, we could pass no legislation. Scarcely a Bill is brought in and discussed and adopted by this House that is not a money Bill. I fail to see the force of the objection of the hon. leader of the House. If that point is going to be raised with regard to this Bill, it could be raised in every case. The late Bill we have been discussing is a money Bill. It takes money to put it into force. I don't understand why this objection has been raised.

Hon. Mr. LOUGHEED—Perhaps my hon. friend's attention has not been directed to the fact that this Bill has originated in this House and has to do with the revenue of the country. However, I raise the point so that his honour the Speaker may pass upon it.

The SPEAKER—I am not prepared to give a decision immediately. The matter might stand until to-morrow.

Hon. Mr. LOUGHEED—I would like to say to the House that I am not objecting to the Bill remaining on the order paper until the hon. gentleman who introduced it attends here; but I do not want to let it be read the second time without directing the attention of the House to the objection. Let it stand.

The SPEAKER—I will ask the permission of the House to postpone my judgment until to-morrow.

Hon. Mr. WATSON moved that the order be discharged and placed on the order Paper for a week from to-day.

The motion was agreed to.

Hon. Sir MACKENZIE BOWELL—I understand the motion has been carried to postpone the consideration of this Bill; but that does not withdraw the objection made by the leader of the House as to our rights.

The SPEAKER—The objection is not withdrawn. When the Bill comes up again I shall be ready to give a decision.

SECOND READINGS.

Bill (T) An Act respecting the Rainy River Radial Railway Company.—Hon. Mr. Watson.

Bill (U) An Act for the relief of James Denny.—Hon. Mr. Derbyshire.

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

THE SENATE.

FRIDAY, February 16, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

DELIVERY OF MAILS AT ROTHESAY.

INQUIRY POSTPONED.

The order of the day being called.

Hon. Mr. CLORAN, (in the absence of Hon. Mr. Domville), rose to inquire:

1. Why the Intercolonial train, going east from St. John, N.B., does not stop at Rothesay, N.B., to deliver mails and passengers at that station?
2. What were the earnings of the Intercolonial railway at that railway station for the last fiscal year?
3. What were the earnings at that station for the years 1911, 1910, 1909, 1908 and 1907?
4. Has any complaint been made by the inhabitants at Rothesay, N.B.?
5. If so, what were the reasons given for the discontinuance of the Rothesay service on train referred to?
6. Under whose control and direction does the act of the Intercolonial railway refusing to stop mail train at Rothesay station come under?
7. Is the government aware that within thirty days eight mails from the west have been undelivered at the railway station, Rothesay, and likewise the mail from Rothesay to Halifax and the east been left behind?
8. Is the government aware that on the 7th instant, the mail bag or bags going east for St. John at that day for Rothesay disappeared and that beyond a dozen letters picked up in the snow along the railway track, in a wet and almost destroyed condition, nothing is known?
9. Has this been brought to the attention of the government? If so, what is the explanation?
10. Does the government propose to investigate at St. John, N.B., and find out who the blame attaches to?
11. What is proposed to be done in the near future about the Rothesay mails?

Hon. Mr. LOUGHEED—Will the hon. gentleman permit this inquiry to stand till Thursday next?

Hon. Mr. CLORAN—Certainly. The hon. gentleman will understand that I am asking these questions in the name of and on behalf of an absent colleague.

Hon. Mr. LOUGHEED—The information is now being collected.

THIRD READINGS.

Bill (No. 53) An Act respecting patents of Edmund Piper.—Hon. Mr. Bostock.

Bill (No. 71) An Act respecting a patent of the Spirella Company of Canada, Limited.—Hon. Mr. Bostock.

Bill (No. 40) An Act respecting the Canadian Northern Ontario Railway Company.—Hon. Mr. Casgrain.

Bill (No. 41) An Act respecting the Canadian Northern Quebec Railway Company.—Hon. Mr. Casgrain.

Bill (No. 47) An Act respecting the Hamilton, Waterloo and Guelph Railway Company.—Hon. Mr. Gibson.

Bill (No. 48) An Act respecting the Kootenay and Alberta Railway Company.—Hon. Mr. Bostock.

Bill (U) An Act for the relief of James Denny.—Hon. Mr. Derbyshire.

SECOND READINGS.

Bill (No. 36) An Act respecting Barcelona Traction, Light and Power Company, Limited.—Hon. Mr. Beith.

Bill (No. 50) An Act respecting the Ontario and Ottawa Railway Company.—Hon. Mr. Davis.

Bill (No. 89) An Act to incorporate the Bank of Saskatchewan.—Hon. Mr. Ross (Moosejaw).

BILL ASSENTED TO.

Bill (No. 96) An Act to amend the Manitoba Grain Act.

The Senate adjourned until Thursday next at three o'clock.

THE SENATE.

THURSDAY, February 22, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

INQUIRIES INTO DEPARTMENTS.

INQUIRY.

Rt. Hon. Sir RICHARD CARTWRIGHT inquired:

How many commissioners have been appointed to conduct inquiries into any department, or for any special purpose, and at what salaries per diem or otherwise?

He said: I gave notice that I would make this inquiry, and also moved for an order of the Senate somewhat in the same direction, but a little fuller. It should appear on to-day's order paper.

Hon. Mr. LOUGHEED—I will lay on the table the answers which I have received. The return will appear in the debates.

The return tabled was as follows:

Department of Agriculture.

1 salary not to exceed $15 per day.

Department of Customs.

6, remuneration not to exceed $15 a day for each full day's attendance in connection with the work of the commission, exclusive of reasonable moving and living expenses when obliged to travel for the purpose of executing the commission.

Department of Inland Revenue.

1, remuneration is to be as provided by order in council of January 3, 1912, allowing fees to commissioners appointed under the above Act.

Department of Marine and Fisheries.

9, remuneration not to exceed $15 for each full day's attendance and reasonable moving and living expenses.

Post Office Department.

19, I beg to inform you that in order to control travelling expenses we have divided the work, and consequently we have had at some time or other nineteen commissioners appointed by this department to undertake judicial investigations into the charges of active partisanship preferred against certain postmasters.

Seventeen of these commissioners are paid $15 per diem, in addition to actual travelling expenses, and $3 per diem for living expenses, and two are paid $10 per diem, in addition to actual travelling expenses, and $3 per diem for living expenses.

Department of Public Works.

4, three at $15 a day, one $12 a day and travelling expenses, also $5 a day for living expenses when employed.

Department of Railways and Canals.

8, at a salary of $15 per diem and all reasonable living and travelling expenses to conduct investigations.

Two other commissioners were appointed for the special purpose of investigating National Transcontinental railway matters.

COMMISSIONERS APPOINTED BY ORDER IN COUNCIL UNDER THE INQUIRIES ACT SINCE 11TH OCTOBER, 1911.

P.C. No.	Date of Order in Council.	
2455	18th October, 1911	Appointment of H. D. McCormick, assistant law clerk, Department of Railways and Canals, to inquire into sinking of steamer 'Emperor' in the Sault Ste. Marie canal, 16th October, 1911.
2685	25th November, 1911	Appointment of James A. Macdonald, barrister, of Hailfax, to inquire, &c., into charges of political partisanship against customs officers in the maritime provinces.
12/2721	30th November, 1911	Appointment of E. T. C. Knowles, K.C., a commissioner to inquire into charges of political partisanship against customs officers in the province of New Brunswick.
2740	30th November, 1911	Minister of Marine and Fisheries authorized to appoint a commissioner to inquire into management and discipline of government shipyard at Sorel.
2725	4th December, 1911	Appointment of William L. Shurtleff, K.C., of Coaticook, Que., a commissioner to inquire into charges of political partisanship against customs officers in the province of Quebec.
2765	4th December, 1911	Appointment of Emile Gelly, advocate of Quebec, to inquire into charges of political partisanship and neglect of duties against officers of the Intercolonial railway in the province of Quebec, and of James A. Macdonald, barrister, of Halifax, to inquire into similar charges in the province of Nova Scotia. Remuneration $15 per day, with reasonable living and travelling expenses.
2771	4th December, 1911	Appointement of J. G. H. Bergeron a commissioner to investigate and report re charges of political partisanship made against customs officers in the province of Quebec.
2837	13th December, 1911	Minister of Public Works authorized to appoint commissioners to inquire into charges against officials of the Department of Public Works—interference in politics and otherwise.
2862	16th December, 1911	Minister of Agriculture authorized to appoint commissioners to inquire into charges against officials of the Department of Agriculture—interference in politics and otherwise.
39/2885	16th December, 1911	Appointment of Napoleon Garceau, Drummondville, Que., a commissioner to inquire and report into charges of political partisanship against officers of the Department of Inland Revenue in the province of Quebec.
2915	20th December, 1911	Minister of Marine and Fisheries authorized to appoint commissioners to inquire into charges of political partisanship against officials of the Department of Marine and Fisheries in the provinces of Quebec, Nova Scotia and Prince Edward Island.
2928	21st December, 1911	Appointment of Messrs. A. B. Morine, A. Ducharme and R. S. Lake, commissioners to inquire into the public service (the Public Service Commission). Copy of O.C. laid before parliament 10th January, 1912.
2933	21st December, 1911	Commissioners to inquire into charges of political partisanship against government officials authorized to employ stenographers at current rates.
2929	22nd December, 1911	Minister of Marine and Fisheries authorized to appoint commissioners to inquire into charges of political partisanship brought against officers of the Department of Marine and Fisheries in the province of New Brunswick.

P.C. No.	Date of Order in Council.	
2993	3rd January, 1912	Appointment of Robert Hockin, of Pictou, N.S., a commissioner to investigate, &c., charges against fishery overseer John D. Reid, of Pugwash, N.S., of not carrying out his duties and of retaining public moneys.
2996	3rd January, 1912	Remuneration of commissioners. (Copy of O.C. annexed.)
28	6th January, 1912	$5,000 set apart from unforeseen expenses for expenses of the Public Service Commission.
2934	6th January, 1912	Appointment of E. T. C. Knowles, of St. John, N.B., barrister, to investigate charges of political partisanship against officials of the Intercolonial railway in New Brunswick. Remuneration $15 per day and living and travelling expenses.
21	8th January, 1912	Appointment of James A. Macdonald, of Halifax, barrister to inquire into and report charges of political partisanship and neglect of duty against officials of the Intercolonial railway, in the county of Halifax; and of Henry Pope Duchemin, of Sydney, N.S., barrister, to investigate similar charges in the counties of Cape Breton, Inverness, Richmond, Guysborough, Antigonish, Pictou and Cumberland; and of Charles W. Lane, of Lunenburg, N.S., to investigate similar charges in the counties of Lunenburg, Queens-Shelburne, Yarmouth, Digby, Annapolis, Kings, Hants and Colchester, Mr. Macdonald being unable to act outside of the county of Halifax. Remuneration $15 per day and living and travelling expenses.
22/85	15th January, 1912	Appointment of Henry Pope Duchemin, of Sydney, barrister, a commissioner to investigate and report charges of political partisanship against officials of the Department of Customs in the maritime provinces.
23/85	15th January, 1912	Appointment of Chas. W. Lane, of Lunenburg, barrister, a commissioner to investigate, &c., charges of political partisanship against officials of the Department of Customs, in the maritime provinces.
24/85	15th January, 1912	Appointment of William L. Shurtleff, K.C., of Coaticook, a commissioner to investigate, &c., charges made by J. Christie Gustin and J. C. Gilfillan, M.D., against Homer R. Worthen as to the means he took to procure his present apointment in the customs at Beebe Junction.
75	15th January, 1912	Remuneration of the Public Service Commissioners, Hon. A. B. Morine, chairman, $40 for full day's attendance or occupation; Messrs, G. N. Ducharme and R. S. Lake, $30 for full day's attendance or occupation; this to cover living expenses in Ottawa, but otherwise the reasonable living and moving expenses of the commissioners to be allowed in cases where they have to travel for the purpose of executing the commission.
160	29th January, 1912	Appointment of M. F. Alward, law clerk, Department of Railways and Canals, a commissioner to investigate, &c., charges against Clem Gorden, overseer, Trent canal, Peterborough, expropriation of material and use of time of canal employees, by him in connection with his own private property.
169	29th January, 1912	Appointment of F. P. Gutelius, C.E., of Montreal, and George Lynch Stanton, K.C., of Hamilton, who shall be chairman of the commission, commissioners to make investigation in respect of the construction of the Transcontinental railway between Moncton and Winnipeg, covering all matters bearing on the actual construction of the railway,

P.C. No.	Date of Order in Council.	
		the expenditure thereon, whether direct or indirect, the system adopted for such construction, and the management of the undertaking generally.
227	3rd February, 1912	Appointment of Norman A. Campbell, of Charlottetown, P.E.I., barrister, commissioner to investigate charges of political partisanship against officials of the Prince Edward Island railway; remuneration to be $15 a day, together with reasonable living and travelling expenses.
230	5th February, 1912	Appointment of D. Hazen Adair, of Sussex, N.B., barrister, commissioner to investigate charges of theft and political partisanship brought against J. W. Gaskin, foreman, electrical department, Intercolonial railway, Moncton, N.B.; remuneration to be $15 a day, together with reasonable living and travelling expenses.
260	5th February, 1912	Expenditures incurred in connection with investigations, &c., charged to 'Miscellaneous Unforeseen Expenses.' (Copy of O.C. hereto annexed.)
297	9th February, 1912	Appointment of John A. Matheson, of Charlottetown, a commissioner to investigate charges re payment of fishing bounty claims —where regulations were not complied with —against fishery overseer J. A. McCormack, Souris, P.E.I.
307	12th February, 1912	Appointment of Victor Allard, K.C., of Berthier, a commissioner to investigate charges of theft as servants, brought against certain conductors of the Intercolonial railway; remuneration $15 per day and reasonable living and travelling expenses.
325	12th February, 1912	Appointment of Sir William Ralph Meredith, Chief Justice Common Pleas Division of the High Court of Justice, Ontario, a commissioner to investigate facts in relation to the organization, management, operation and failure of the Farmers' Bank. (Copy of O.C. laid on table of the House of Commons on 13th February, 1912.)

P. C., 2996.

Certified copy of a report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 3rd. of January, 1912.

The committee of the Privy Council have had under consideration the question as to the rate of remuneration which should be allowed, commissioners appointed or to be appointed to hold inquiries or investigations under the Inquiries Act, chapter 101, of the revised Statutes of Canada, 1906.

The committee advise that, except in cases otherwise provided for by order in council, the fees allowable to a commissioner appointed under the authority of the above mentioned Act shall not in any case exceed fifteen dollars for each full day's attendance or occupation in connection with the work of the commission, exclusive of the reasonable moving and living expenses of the commissioner to be allowed where he has to travel for the purpose of executing the commission; and that the said per diem allowance shall be deemed to cover letters and interviews on other days as well as on the days for which the commissioner is entitled to such per diem allowance; and that no further charge be allowed for such letters and interviews; and that a professional man shall not be entitled to any fees or allowances as commissioner to which other commissioners are not entitled as aforesaid.

The committee also advise that a copy of this minute be sent to every commissioner hereafter to be appointed, with his commission, or the notification of his appointment, and that such commissioner be at the same time informed that the provisions of this order in council will be strictly followed in ascertaining the amount to which he may be entitled for his services as commissioner.

The committee further advise that the order in council (P. C. No. 2648), of the 21st of September, 1897, fixing the rate of remuneration of commissioners appointed to hold inquiries into public matters or departmental business, be cancelled.

All which is respectfully submitted for approval.

RODOLPHE BOUDREAU,
Clerk of the Privy Council.

P. C., 260.

Certified copy of a report of the committee of the Privy Council, approved by His Royal Highness the Governor General on the 5th. of February, 1912.

The committee of the Privy Council, on the recommendation of the Minister of Finance, advise—with reference to the order in

council of the 3rd. of January, 1912, setting forth regulations as to the rate of payment to commissioners appointed to hold inquiries and investigations under the 'Inquiries Act,' chapter 104 of the Revised Statutes of Canada, 1906—that the expenditures incurred in connection with such inquiries and investigations be, for the current fiscal year, charged to 'Miscellaneous Unforeseen Expenses.'

RODOLPHE BOUDREAU,
Clerk of the Privy Council.

DELIVERY OF MAILS AT ROTHESAY, N.B.

INQUIRY.

Hon. Mr. CLORAN (in the absence of Hon. Mr. Domville) inquired of the government:

1. Why does the Intercolonial train, going east from St. John, N.B., not stop at Rothesay, N.B., to deliver mails and passengers at that station?
2. What were the earnings of the Intercolonial railway at that railway station for the last fiscal year?
3. What were the earnings at that station for the years 1911, 1910, 1909 and 1907?
4. Has any complaint been made by the inhabitants at Rothesay, N.B.?
5. If so, what were the reasons given for the discontinuance of the Rothesay service on train referred to?
6. Under whose control or direction does the Act of the Intercolonial railway refusing to stop mail train at Rothesay station come under?
7. Is the government aware that within thirty days eight mails from the west have been undelivered at the railway station, Rothesay, and likewise the mail from Rothesay to Halifax and the east been left behind?
8. Is the government aware that on the 7th instant, the mail bag or bags going east for St. John at that day for Rothesay disappeared and that beyond a dozen letters picked up in the snow along the railway track, in a wet and almost destroyed condition, nothing is known.
9. Has this been brought to the attention of the government? If so, what is the explanation?
10. Does the government propose to investigate at St. John, N.B., and find out who the blame attaches to?
11. What is proposed to be done in the near future about the Rothesay mails?

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

1. Seven Intercolonial trains each way daily, of which three carry mails, stop at Rothesay, N.B. Only one, No. 26, Canadian Pacific through train from Montreal does not stop at this point.

2. Earnings for the first fiscal year was $11,575.82.

3. Earnings for year ended March 31:

1911	$11,575 82
1910	10,348 73
1909	7,815 14
1908	7,980 24
1907	6,350 07

4. Some complaints were made about the train not stopping at Rothesay two and a half years ago.

5. See answer to No. 1.

6. The operation of the mail trains on the Intercolonial railway come under the control of the Government Railways Managing Board.

7. January 11, mail from Rothesay post office was knocked off catcher, but was recovered and forwarded to St. John by next train.

January 19. No mail was received or delivered owing to neglect of mail clerk who has since been removed from this run.

February 1. Mail was knocked from catcher, but was forwarded by next train.

February 6 (not 7th). Mail for despatch was drawn back under wheels and contents partially destroyed.

On only one occasion, the 6th, was mail destroyed, case is still under investigation.

8. Answered by No. 7.

9. Answered by No. 7.

10. Answered by No. 7.

11. The department taking the necessary action to ensure safe delivery and receipt of mails from Rothesay.

POSTAL DELIVERY AT ROTHESAY.

MOTION.

Hon. Mr. CLORAN moved for:

An order of the Senate for all correspondence respecting the inefficient postal delivery service at Rothesay, N.B.

The motion was agreed to.

QUANTITY OF WHEAT RECEIVED IN TERMINAL ELEVATORS.

MOTION.

Hon. Mr. TALBOT moved that an order of the Senate do issue for a return showing:

1. The quantities of wheat by grades received into the several terminal elevators at Fort William and Port Arthur from the date of weigh-up in 1910 to the date of weigh-up in 1911.

2. The quantities by grades delivered from each of the said elevators during the same period.
3. The overage or shortage as the case may be of each grade in each of the said several elevators as shown by the said weigh-ups.

The motion was agreed to.

INQUIRIES ACT AMENDMENT BILL.

COMMITTEE STAGE POSTPONED.

The order of the day being called, 'The House again in Committee of the Whole on Bill (No. 19) An Act to amend the Inquiries Act.'

Rt. Hon. Sir RICHARD CARTWRIGHT—I have received just now a communication from Senator Kerr, who is unavoidably absent, and who wishes to make some modification of the motion in his hands, and also some remarks. If, therefore, it does not inconvenience the government, I should be glad if my hon. friend will let this order stand until Tuesday next.

Hon. Mr. LOUGHEED moved that the order of the day be discharged, and that it be placed on the orders for Tuesday next.

Hon. Mr. POWER—There is an amendment standing in my name, as to which, I understand, there is not likely to be any difference of opinion. On the whole perhaps it would be just as convenient if the House went into committee and adopted that amendment, leaving nothing outstanding except the motion of the hon. member from Toronto.

Hon. Mr. LOUGHEED—While I am not disapproving of the amendment in any sense, I think it would be better to take up the whole subject at one time.

The motion was agreed to and the order of the day was postponed.

SALE OF BREAD BILL.

COMMITTEE STAGE POSTPONED.

The order of the day being called:

Resuming the adjourned debate on the motion of the Hon. Mr. Casgrain for Committee of the Whole House on (Bill D) intituled: 'An Act respecting the sale of bread,' and the motion in amendment thereto of the Hon. Mr. David, that the said Bill be not committed to the Whole House, but that it be referred to the Standing Committee on Miscellaneous Private Bills.—Hon. Mr. Lougheed.

Hon. Mr. LOUGHEED—I am unaware why this order stands in my name. I think a suggestion was made that I should submit the Bill to the Department of Inland Revenue, which department will, in all probability, be charged with its administration should it be passed. If my hon. friend, who is the promoter of the Bill, were present, I should be glad to state what the opinion of that department is, but in his absence I think it better to let the order stand.

Hon. Mr. CLORAN moved that the order of the day be discharged, and that it be placed on the orders for Wednesday next. He said: I understand that legislation in regard to this matter is being initiated in the Ontario legislature by one of the members from Ottawa. I do not know how his Bill will affect this measure, but he is practically asking for the same thing—that is, instead of having 12 ounces to the loaf, there should be 16 ounces to the loaf. In the absence of the promoter of this Bill I am not prepared to say whether it should be held up in view of that legislation, This Bill comes properly under the Department of Inland Revenue. They are the guides in regard to weights and measures, and I have every confidence that the government will put the matter properly before us.

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

CRIMINAL CODE AMENDMENT BILL.

SECOND READING POSTPONED.

The order of the day being called: Second reading Bill (No. 9) An Act to amend the Criminal Code.

Hon. Mr. LOUGHEED—This is a Bill that apparently stands in my name. I moved the second reading thinking it was a government measure; but I am not familiar with the contents of the measure or the object the promoter has in view, except in a general way. I wish, therefore, to get more information before proceeding with the Bill. I move that the order be discharged and that it be placed on the orders of the day for this day week.

The motion was agreed to, and the order for second reading was postponed.

MUFFLERS ON MOTOR BOATS BILL.

SECOND READING.

Hon. Mr. DERBYSHIRE moved the second reading of Bill (Y) An Act to require the use of Under-water Exhausts or Mufflers on certain Motor Boats. He said: This Bill deals with a nuisance complained of all over the Dominion in connection with motor boats. If any hon. gentlemen live in localities where such boats are operated they will know that a great deal of noise is caused at all hours of the day and night by the absence of under-water exhausts or mufflers for these boats. The noise is a public nuisance. If each boat were equipped with a muffler the nuisance would be abated. It is a small matter, but one in which a great many people are interested. I have had letters from Toronto and other parts wanting a clause in the Bill to provide that these mufflers may be removed during regattas or trials of speed.

Hon. Mr. WATSON—What about the smell?

Hon. Mr. DERBYSHIRE—The same thing. This Bill would be in the interest of those who wish for a quiet summer resort.

Hon. Mr. ELLIS—I do not rise particularly to object to this Bill, but to object to parliament being called upon to pass all sorts of little regulations for the suppression of what are classed by some people as nuisances. This is not such a serious matter as to require legislative action. Sometimes one would like to hear the sound of those machines, but whether that be so or not, is it worth while for us to fill our statute-books with rules which nobody enforces or observes, and with legislation which is only dealing with small matters in a large way.

Hon. Mr. BELCOURT—Has the hon. gentleman made an attempt to have the Marine Department adopt regulations to cover the case?

Hon. Mr. DERBYSHIRE—No, I have not seen any one. I thought I would bring the matter before parliament and see if we could not suggest a measure which would regulate the nuisance and have it considered in committee. I have letters from a great many different places, especially summer resorts all over the country, requesting that such a Bill be passed in the interests of people who desire quiet and rest, especially in the evenings and at night. These boats have become a perfect nuisance. I am satisfied this Bill is in the interest of the people.

Hon. Mr. WATSON—How about steam?

Hon. Mr. DERBYSHIRE—It does not interfere with steamboats.

Hon. Mr. BELCOURT—I do not object to the provision being made, but I think this matter should be taken up with the Department of Marine and Fisheries. I am inclined to agree with the hon. gentleman from St. John (Hon. Mr. Ellis) that it is rather straining the functions of parliament to pass legislation to regulate these things. I should think that is altogether a matter for the Department of Marine, and my hon. friend should endeavour to have the principle adopted there before presenting his Bill to parliament.

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

Hon. Mr. DERBYSHIRE moved that the Bill be referred to the Committee on Railways, Telegraphs and Harbours.

Hon. Mr. POWER—Strictly speaking, this being a public Bill, I think it should go to a Committee of the Whole, but probably the course adopted by the hon. gentleman is the wiser one.

Hon. Mr. CLORAN—I have no objection; but I think it would be a hardship on the motors to make them wear mufflers in the summer time.

Hon. Mr. DERBYSHIRE—If any hon gentleman lived in a place where these motors were in use, he would want to see the mufflers used.

The motion was agreed to.

NATIONAL TRANSCONTINENTAL RAILWAY BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 95) An Act respecting the National Transcontinental railway. He said: The purpose of this measure is to authorize the government to pay an amount in the vicinity of some five million dollars to the Grand Trunk Pacific.

Hon. Mr. MACDONALD (British Columbia)—Is the amount not ten million dollars?

Hon. Mr. LOUGHEED—Hon. gentlemen will doubtless recall that by the legislation of 1903 the government of Canada entered into a contract with the Grand Trunk Pacific to guarantee certain bonds of that railway company's enterpise. Section 28, which is one section of the Act dealing with the subject out of which has arisen the litigation requiring the payment by the government of Canada to the Grand Trunk Pacific reads as follows:

> For the purpose of aiding the company in the construction of the western division, the government shall guarantee payment of the principal amount equal to seventy five per centum of the cost of construction of the said division, as defined and ascertained in accordance with the provisions of paragraph 18 hereof; but such principal amount shall not, in any case exceed thirteen thousand dollars per mile of the mileage of the Prairie section, or thirty thousand dollars per mile of the mileage of the Mountain section, although seventy-five per centum of such construction may have exceeded the said respective sums per mile.

In 1904 the company, apparently, upon making further inquiry into the carrying out of their enterprise seemed to have come to the conclusion that the assistance then proffered by the Dominion government was not sufficiently large to warrant them entering upon the project, or they apparently thought they could induce the government to give them further assistance. They therefore again approached the government of Canada, and in 1904 an amendment was made to the legislation of 1903 increasing that assistance, as will be seen by section 5 of the legislation of that year, and this is the section upon which arose the difference between the government of Canada and the Grand Trunk Pacific Railway Company as to what the meaning of the additional assistance really was. The section reads as follows:

> Notwithstanding anything in the said contract contained, the government may and shall, preserving always the proportions in the said contract provided as between the Prairie and Mountain sections of the western division, implement for the purposes and subject otherwise to the provisions of the said contract, its guarantee of the bonds of the said company to be issued for the cost of construction of the said western division, in such manner as may be agreed upon, so as to make the proceeds of the said bonds so to be guaranteed a sum equal to seventy-five per centum of the cost of construction of the western division ascertained as provided in the said contract, but not exceeding in respect of the Prairie section thirteen thousand dollars ($13,000) per mile.

I would direct the attention of the House to the fact that this practically repealed the limitation of the guarantee of the government, so far as the cost of the Mountain section of the western division was concerned, leaving the obligation of the government guarantee to be seventy-five per cent of whatever cost the Mountain section of the western division should be. It was found upon placing the debenture stock of the company upon the market that the three per cent debentures guaranteed by the government of Canada did not realize par, but sold at an amount considerably below par. There appears to have been three sales of these debentures which particularly affect the western division. In 1905 £3,200,000 were sold at 92½, and produced $14,559,670. In 1909 two million pounds were sold at eighty, and produced $7,773,490. In 1910 two millions were sold at about eighty pounds, three shillings and nine pence, and produced $7,856,119. There then arose the question as to what the legislation of 1904 meant, as to whether the government of Canada was to guarantee an additional issue of bonds. That, I understand, was the construction placed by the government upon the legislation of 1904, whereas the railway company placed a different construction upon it, claiming that the government are obliged to pay to the railway company the difference betweeen the figures those debentures sold at and par, or, in other words, the government of Canada was to implement by the payment of cash the difference between the par

value of the debentures which had been guaranteed by Canada and the amount for which they sold; that is between their face value and the amount for which they sold.

Hon. Mr. CLORAN—If they sold for nothing the government would have to pay the whole thing.

Hon. Mr. LOUGHEED—In round figures the difference slightly exceds $5,000,000 on what is sold. This Bill, of course, will authorize the government to pay in the future whatever difference may arise between the face of the debentures and their proceeds. Up to the present time we are simply dealing with the debentures which have been sold. Upon this question arising, it was submitted to the Supreme Court of Canada for that court to place a construction upon the contract. The Supreme Court, in answering the questions which had been agreed upon between the two parties, decided in favour of the contention of the government. Upon an appeal being taken to the Privy Council that tribunal reversed the judgment of the Supreme Court of Canada.

Mr. POIRIER—As usual.

Hon. Mr. LOUGHEED—They found in favour of the railway company, thus adjudging the government of Canada to be responsible for the payment of the amount I have mentioned. I will just read you a short extract from the judgment of the Privy Council, which will more explicitly explain the position of the parties relative to this dispute than I can do. The judgment of the Privy Council has been distributed, and I think a copy has been placed on the desk of each member. On page 15 of the judgment, which has been distributed, hon. gentlemen will find the following extract:

> Differences having arisen as to the interpretation of paragraph 5 of the supplemental contract, it was agreed between the government and the company that the questions at issue might be conveniently referred to the Supreme Court under the provisions of the Supreme Court Act. The government proposed a series of questions for the consideration of the Supreme Court. The questions so proposed, which are somewhat cumbrous and diffuse, may be summoned up in one simple question: Does paragraph 5 contemplate any additional liability being imposed on the company, or is it incumbent on the government to make up the proceeds of the first mortgage bonds to their nominal or par value without recourse to the company? The Supreme Court was of opinion that the liability on the part of the government contemplated by paragraph 5 was a scondary liability only as guarantors, that the primary liability must fall upon the company, and that it rested with the company to issue additional bonds which the government was to guarantee.
>
> With the utmost deference their Lordships are unable to accept the interpretation placed by the Supreme Court on paragraph 5. It seems to their Lordships that there is nothing in paragraph 5 imparting that any further liability was to be imposed on the company in respect of the first mortgage bonds, and that it falls upon the government to implement their guarantee so as to make the proceeds of those bonds issued and to be issued equal to their par or nominal value. It would be a breach of faith with the Grand Trunk Company to let in any further charge in priority to their security, and as it appears to their Lordships the company has no power to issue bonds other than those authorized by the original contract.

It is singularly unfortunate that in the preparation of this contract the position of the government was not more fully protected. A very few words inserted in the documents of contract would probably have protected the government from the payment of the very large amount which now faces them, an amount which will at least reach the very large sum of ten millions by the time the road is completed, or by the time the different issues of bonds are sold.

Hon. Mr. MACDONALD (British Columbia)—Was there a special guarantee by the government that the bonds would bring par?

Hon. Mr. LOUGHEED—No.

Hon. Mr. MACDONALD (British Columbia)—The government could not be responsible for the amount the bonds sold at unless they gave a guarantee they would sell at par.

Hon. Mr. LOUGHEED—If the bonds sold at par the government would not be called upon to implement any difference. The question naturally suggests itself as to whether the company obtained the highest possible price for the bonds.

Hon. Mr. THOMPSON—Could the government be heard on the question as to when these bonds should be placed upon the financial market, or was it a question entirely in the hands of the company?

Hon. Mr. LOUGHEED—The original contract did not contemplate that this condition would arise. Apparently the assumption was that three per cent bonds guaranteed by the government of Canada would sell at par. Consequently, it was a condition which apparently was not anticipated at the time of the contract and no provision was made for it.

Hon. Mr. BELCOURT—Is my hon. friend quite sure that there was nothing in the contract to provide for it?

Hon. Mr. LOUGHEED—Nothing in the contract of 1903.

Hon. Mr. BELCOURT——It seems to me that there was a provision that the government should be consulted at the time the bonds were placed on the market.

Hon. Mr. LOUGHEED—Yes, there was a provision of that kind; but there was nothing in the contract dealing expressly with the sale of those bonds below par.

Hon. Mr. BELCOURT—As a matter of fact, was the government consulted at the time the debentures were sold?

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

Hon. Mr. CLORAN—Will the hon. leader of the government make a statement with regard to the financial situation? It is one that is going to surprise the country. We are paying now, and we are going to pay a very large sum for the construction of that road. If the Grand Trunk Pacific places its bonds on the market, and sells them anywhere from ninety-two downward, I understand, according to the judgment of the Privy Council, the government is responsible for the difference.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CLORAN—Does not the hon. leader of the House think that a very strange condition of things? I would ask him to urge his government to bring in legislation this session to prevent it, so that when the Grand Trunk Pacific puts its bonds on the market, the government shall only be responsible for the amount they bring. What is to prevent that company putting its bonds on the market and letting them go at fifty, knowing that the government would be responsible for the difference between fifty and par? That may happen. They sold their bonds at 92 one year and the following year at 80. There is nothing in the contract to prevent them selling at any figure they please knowing that the government will have to supplement the difference. Is it not right that the government should deal with the matter by legislation? I think the Supreme Court was right in saying that Canada was responsible simply for the amount obtained for the bonds, and not for the par value. Supposing the company had sold the bonds for 110 or 120, would we have to pay interest on those figures? It is absurd, and it is equally absurd to take it the reverse way. The leader of the Senate I know is a good Canadian, and I hope he will see that the government of Canada shall not be mulct in any future sale of these bonds. We may have to face larger claims in the future for the difference between the amounts obtained for the bonds and their par value. The past government was not sufficiently explicit in passing the law, but it was explicit enough for our Canadian judges to say that the government was right. The company appealed to the Privy Council and the decision in appeal was given in their favour. It is up to the government to make the law so plain that it cannot be misunderstood. I have been contending for that ever since I became a member of the Senate. There are some members of this House who think that the laws we pass should be interpreted by the courts. That is not the proper function of the courts. Their function is to enforce the law, not to put their own interpretation upon our legislation. Parliament should have its laws read in plain English, as plain as the alphabet, and let the courts enforce them. The proper function of a judge is to apply the law and not to make it.

Hon. Sir MACKENZIE BOWELL—I do not see any necessity for discussing what should have been done in the past, or what may be done in the future. We have to face the facts as they are presented to us. The Bill which we are now passing involves an expenditure—if the Finance Minister's calculations be correct, and I presume they are—of five or six millions at once, and possibly an equal amount in the future. The honour of Canada is involved in this transaction, and whatever our opinion may have been of the legislation of the past, it is incumbent upon us now to maintain the honour of Canada and comply with the findings of the Privy Council in this case. It is all very well for us to comment upon the decisions of our own Supreme Court and of the Privy Council. Many important suits in the past have been decided by the Supreme Court of Canada, and their decisions have been reversed by the Privy Council, while in other cases equally important their decisions have been upheld. I could refer to two or three very important cases, but that is not at all necessary. The whole trouble involved in this instance is in the construction of one simple word 'implementing' a certain guarantee. The Supreme Court of Canada put one construction upon it, the Privy Council in England put another. When the Bill of 1904 was introduced to amend the law of 1903, giving a further guarantee to the Grand Trunk railway, it was pointed out in the other House by Mr. Barker, of Hamilton, that this difficulty might arise. Mr. Barker is an authority on railway legislation, he having been the lawyer who negotiated the whole of the transactions in connection with the amalgamation or purchase by the Grand Trunk railway of the Great Western railway. The ability which he displayed in the settlement of the dispute between those two companies when that amalgamation took place gave his opinion on questions of this kind special value. He brought the whole matter out of the involved condition in which he found it, and in a very short time settled all the difficulties. Mr. Barker, when the Bill of 1904 was under discussion in the House of Commons pointed out what he thought might be the result of using that word 'implementing' in the contract. His warning was disregarded, for the reason, I presume, that the lawyers, and those who had the matter in hand at the time did not regard his objections as of any consequence. However, if the decision of the Privy Council be right it proves that Mr. Barker's opinion was correct. I have no sympathy with those who cry out against the reversal of decisions. I remember that I took a firm stand on a very important question some time ago, and the Supreme Court of Canada unanimously held that the view of the government of that day was right. Their decision was reversed by the Privy Council in England. When I analysed the reason they gave for reversing that judgment, I was convinced they were right and we were wrong to a certain extent in the interpretation which we put upon the law. The same difficulty has arisen in this instance. It is unfortunate, financially speaking, that the warnings that were given by Mr. Barker in the House of Commons were not listened to at the time. It is too much a habit of governments when they introduce measures to parliament to maintain that they are right in every particular. If parliament had in the past, and would in the future pay a little more attention to the opinions expressed by men of common sense, we might be relieved of difficulties such as have arisen in this instance. There is no doubt that when these bonds were guaranteed not only the government, but every one, supposed that 3 per cent bonds guaranteed by the Dominion of Canada, would bring par in the English market; but for some reason which it is not my province to just now enter into, they were sold as low as 80 per cent. With the interpretation placed upon the word 'implement' by the Privy Council in England, the government are obliged to come to the rescue and pay the ten or eleven million dollars it involves, whether we like it or not.

Hon. Mr. POIRIER—That was a very costly 'implement.'

Rt. Hon. Sir RICHARD CARTWRIGHT—I might say in reply to some of the remarks made by my hon. frined behind me, and also by my hon. friend before me, that I hope the government will lay carefully to

heart the remarks of the hon. gentleman from Hastings (Sir Mackenzie Bowell) touching the desirability of seeing that their measures are very clear, and the possibility of their being mistaken occasionaly. In that I entirely agree with him; but as to the question mainly at issue, no doubt the present position is an unfortunate one. When the contract was entered into, there was reasonable ground for expecting that the 3 per cent guarantee would be sufficient to float the bonds within a mere trifle of par; but every hon. gentleman who has paid attention to the progress of events in the financial world must be aware that since the time when those bonds were first issued there has been an enormous depreciation in what is called gilt-edged securities all over the world, and particularly in England. The fall in 3 per cent guaranteed bonds is not, if my memory serves me correctly, much more than the fall in consols. As regards another point, to the best of my recollection—I am speaking subject to correction—the government must be consulted on all occasions before those debentures are sold or issued. I think they have a kind of veto power on the time and also the figure at which they are placed on the market. Unfortunately, the Privy Council took a different view of the situation from our own Superior Court. Speaking as a layman, I think the common sense of the question was on the side of our Supreme Court. The legal points, I dare say, were on the side of the Grand Trunk Pacific and the Privy Council. At any rate, we must pay; but, as regards the future, I think it is quite within the power —and if they have not the power they should certainly take it—of the government to purchase their own guarantee bonds if they see fit, and in that way they can protect themselves against any very material fall without any particular great loss to the country. It is worth while considering the point, and as my hon. friend has intimated that a further sum of five millions or more may be lost by allowing the Grand Trunk Pacific to put more bonds on the market with the government guarantee. It is worth while considering whether the government had better not take up these bonds themselves. In that way the loss would be minimized, and as our credit is pretty good and they cannot have exhausted the thirty million surplus we left behind us, they should take some action in that respect. If the government have not the power to purchase the bonds, there will be no difficulty whatever about getting legislative authority to do so. The course of the English market is very peculiar. I remember one occasion where I was myself concerned I found that Canadian bonds guaranteed by the British government themselves could not be sold at anything like the price that English consuls commanded, simply because they were a smaller security and not much known in the market; and I know also that these guarantees are not favoured in the English market. I believe we could borrow money at greater advantage and meet the liabilities incurred. My hon. friend would be glad I am sure to see the loss to the country minimized as far as possible, and I think it could be done that way.

Hon. Sir MACKENZIE BOWELL—If the suggestion were carried out it would be adding twenty-five million dollars to the debit side of the country to save only a small per cent on the whole transaction.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not see that at all. We have issued a guarantee to pay three per cent on these bonds. We will be none the poorer if we pay it direct to the English holder or indirectly through the company.

Hon. Mr. BELCOURT—Are there any more of these bonds likely to be issued?

Hon. Mr. LOUGHEED—Yes, there will be sufficient issued by the railway company to complete the undertaking. This simply represents the difference on the bonds already sold, and it is estimated that upon the sale of the remainder of the bonds the amount to be implemented will be substantially the same as that which has already arisen. In answer to my right hon. friend's suggestion, I have no doubt the government will regard with some interest the further disposal of these bonds. As the hon. member for Ottawa (Hon. Mr. Belcourt) pointed out a few moments ago, the contract provides that the government must first be consulted with reference to

the sale of the bonds; but as to carrying out the suggestion of my right hon. friend, as the government of Canada is and must necessarily be a borrower in the European money market, it all comes down to a question of supply and demand for money, that is to say if they retired or bought those particular bonds of the Grand Trunk Pacific Railway Company, guaranteed by themselves, it would involve their securing the money from some source to take them up, and the question is if they go on the money market for that amount how much will it cost. Looking at it in a very general way, it seems to me the bonds of the Grand Trunk Pacific Company guaranteed by the government of Canada would realize substantially as much——

Rt. Hon. Sir RICHARD CARTWRIGHT —I think my hon. friend will find, and I think the Finance Minister would admit, that for reasons peculiar to the English market the bonds of the Grand Trunk Pacific, guaranteed by Canada to pay three per cent, will not fetch anything like as good a figure as a three per cent Canada loan.

Hon. Mr. LOUGHEED—When this contract was entered into between the parties in 1903, the views of the government and also of the railway company must have been very optimistic, because apparently they did count upon these three per cent bonds realizing par. The government of Canada in 1903 was not securing its money for anything less than three per cent. My recollection is that when criticisms were being made on the Bill in 1903, in the government of Canada undertaking to charge an interest rate of three per cent to the Grand Trunk Pacific, the government themselves were at the same time paying three and a half per cent for money. My right hon. friend will doubtless recall that. The criticism was made in 1903, when the government of Canada entered into a contract with the Grand Trunk Pacific to charge only a rate of three per cent as rental for the eastern division and also upon the arrears of interest which might arise upon both divisions that we were at the same time paying three and a half per cent for money we were borrowing.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think not quite so much.

Hon. Mr. LOUGHEED—It was a fraction over three per cent, and therefore it would look as if all parties had considered that the Grand Trunk Pacific could get better terms. However, that has not turned out to be the case.

Rt. Hon. Sir RICHARD CARTWRIGHT —I don't think any three and a half per cents were issued until after 1905, but that is a matter of detail. It is a curious fact, however,—and I just mention it for my hon. friend's information—that while ordinary persons would say that the credit of the Grand Trunk Railway, plus the credit of Canada, was better than the credit of Canada alone, in the London market it is not so looked upon. The credit of Canada alone without the Grand Trunk railway would fetch a bigger figure.

Hon. Mr. CLORAN—I put the question to the hon. leader of the government, whether he would undertake to have the government use precaution that the same condition of things shall not occur again. Under the judgment of the Privy Council, the Grand Trunk Pacific, without respecting the provisions which necessitates consulting the government, can go into a foreign or the home market and sell their bonds at any figure, knowing that the Dominion government will be responsible for the difference. The Grand Trunk need not care what the bonds sell for, whether forty, fifty, seventy or eighty cents, knowing that the Canadian people will make up the difference. Now, what is to prevent capitalists from selling the bonds at from sixty to seventy, knowing that the thirty per cent is going to be paid by us? That would create a serious condition of things, and the government should provide against it. It would only be fair to themselves; in fact it would be a feather in their cap if they did. If the present statute does not give power to do so, I would ask the leader of the House to see that precaution is taken, by legislation if necessary, to protect the country in the issue of all new bonds. I put that to the hon. leader of the House. If he carries out such a policy his party will not suffer, and the country certainly will not.

Hon. Mr. LOUGHEED—The suggestion will be kept in view.

Hon. Mr. BEIQUE—The hon. member from Hastings made a statement, no doubt with perfect good faith, that at the time this legislation was passed in 1904 the member from Hamilton, Mr. Barker, had drawn the attention of the government to the fact that the legislation might oblige the government to pay in cash the amount necessary to implement the guarantee of the government. I have taken the trouble to refer to the debate on that date, which is to be found in the Commons 'Hansard,' page 2428, and following, and I fail to find anything of the kind. Mr. Barker discusses the question that it will be open to the government to discharge that obligation in three several ways; first, by paying in cash; second, by purchasing bonds at par; or, third, by guaranteeing the initial amount of bonds; and it was taken for granted both by Mr. Barker, and by the then leader of the opposition, and by all the members of the House, the Minister of Finance, and the Prime Minister of the time, that it would be open to the government to discharge its obligation by guaranteeing an additional amount of bonds, and therefore the government at the time, in perfect good faith, acted on the advice of counsel. When the question came up two or three years later, I think in 1908 when the question was first raised, the government had the opinion of the Minister of Justice and the Deputy Minister of Justice, and of Mr. Shepley, an eminent counsel, and they all reported to the government that there could be no question about the matter, that it was not open to two different constructions, but that it was open to the government to discharge its liability by guaranteeing the initial amount of bonds. Now, in the course of events, we have the Supreme Court of Canada maintaining unanimously the contention of the government, but the Privy Council, in a very short judgment deciding otherwise. We have to abide by the decision of the Privy Council as being the law on the matter, and discharge the obligation as it is; but I make these remarks to act fairly to all parties concerned, and put the matter before the country in the way in which it should be put—not that the attention of the government had been called to the danger, but that all parties concerned dealt with the matter in hand in perfect good faith.

Hon. Sir MACKENZIE BOWELL—I based my remarks on the debate in the House of Commons when the Bill was before that body, and I find no contradiction made to the statement which had been made by Mr. Barker upon that question. There may have been other reasons than the ones to which my hon. friend has referred. I am not aware what legal authority was invoked at that time. All I can say is that if he will refer to that debate he will find that Mr. German, the member for Welland, stated that they consulted only common lawyers. I do not know who they may be, but that is the statement made in the House without any contradiction.

Hon. Mr. BEIQUE—The hon. member from Hastings is quite correct. I followed the debate in the House of Commons on that question, and the present leader of the opposition seemed to have admitted that Mr. Barker had called attention at the time to the matter, and that is the reason I looked up the debate. Of course I speak subject to correction, but the part of the debate that I examined bears on the very clause in question, and the report of the remarks made by Mr. Barker is not susceptible of that construction at all, but the other way, and I could find nowhere the attention of the government being called by any member to the danger which has cropped up.

Hon. Mr. LOUGHEED—I would point out to my hon. friend that Sir Wilfrid Laurier made this statement:

> I know that my honourable friend from Hamilton (Mr. Barker) did make a statement to that effect; but the Privy Council understood the clause in one sense, our own Supreme Court and our own council understood it differently. It was a case of disagreement between lawyers, and the final judgment is in favour of the contention of my honourable friend from Hamilton.

Hon. Mr. BELCOURT—As the government considered the advisability of introducing legislation for the purpose of construing the Act of 1903, it seems to me they

did not intend to make themselves liable for more than guaranteeing the bonds, and guaranteeing additional issues of bonds if that were required. We would have escaped the liability on the interest, because it is hoped the interest in time will be paid. But it is quite clear, in the light of the judgment of the Privy Council, that whilst the Grand Trunk Railway Company understood one thing, the country, represented by parliament, understood another. I can realize that as far as the bonds that have been issued are concerned, there is nothing else for us to do but pay; but in reference to bonds that are to be issued in the future, should not the position of parliament as it was intended to be in 1903 be defined properly by legislation to be introduced now? I am not prepared to say that that should be done; at all events it is a matter which I think the government ought to consider—whether the country has not the right to say now what it intended to be liable for at the time this legislation was passed. I do not know whether the subject has received the attention of the government, if not I respectfully submit that it should.

Hon. Mr. LOUGHEED—In answer to the hon. gentleman from Ottawa, that could scarcely have been in contemplation at the time, because legislation was passed by parliament in 1903 authorizing the Grand Trunk Pacific to issue a second series of bonds to the Grand Trunk Company. Therefore it would be impossible for the railway company to issue bonds that would take priority to the Grand Trunk railway bonds, and immediately follow or be on a parity with the bond issue already made, guaranteed by this government. So that the most that could have been done assuming that the company had it in contemplation was the issuance of a series of bonds by the Grand Trunk Pacific railway, subsidiary to the Grand Trunk railway bonds, which would be a third series of bonds. I need scarcely point out to my hon. friend that that issue of bonds, coming after the first and second issue, and occupying the position of a third issue, would not be as saleable as the first issue—

Hon. Mr. BELCOURT—My hon. friend considers that would be a breach of the agreement if attempted.

Hon. Mr. LOUGHEED—The language of the Privy Council is as follows:

> It would be a breach of faith with the Grand Trunk Railway Company to let in any further charge in priority to their security, as it appears to their Lordships the company has no power to issue bonds other than those authorized by the original contract.

So that is the reason upon which the Privy Council proceeded, and when one familiarizes himself with the facts, there is very much to support it.

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

HOUSE OF COMMONS ACT AMENDMENT BILL.

REFUSED SECOND READING.

The order of the day being called:

> Second reading Bill (C) intituled: 'An Act to amend the Senate and House of Commons Act.'—Hon. Mr. Domville.

The SPEAKER—A point of order has been raised in regard to this Bill, on the ground that, being a money Bill, it cannot originate in the Senate.

What is a money Bill?

Its best definition is to be found in a resolution agreed to in August, 1857, by the elective Legislative Council of South Australia in its famous quarrel with the House of Assembly on the subject of money Bills, and embodied in the compact of 1857 between those two representative bodies, and which reads as follows:

'III. That this council further declares its opinion that all Bills, the object of which shall be to raise money, whether by way of loan or otherwise, or to warrant the expenditure of any portion of the same, shall be held to be money Bills.' (Vide Edwin Gordon Blackmore's manual of practice, procedure and usage of the Legislative Council of the province of South Australia, pages 137 and 182.)

This definition has been accepted by all the parliamentary authorities on the subject.

Todd's 'Parliamentary Government in England,' second edition, page 815, says:

'We will not proceed to consider the subject of money Bills, which are of three kinds, viz.: tax Bills, Bills of supply, and Bills of appropriation.

Tax Bills, for raising revenues 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, or rather of ways and means, 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, in the way which has been already described.

When the Committees of Supply and Ways and Means have finished their sittings, a Bill is introduced, which enumerates every grant that has been made during the session, appropriates the several sums, as voted by the Committee of Supply, which shall be issued and applied to each separate service, and directs that the said supplies shall not be used for any other than the purpose mentioned in the said Act. This is known as the Consolidated Fund Bill, or, more generally, as the Appropriation Bill. By this Act, which completes the financial proceedings of the session, the supply votes, originally passed by the Commons only, receive full legislative sanction.

In another work (Parliamentary Government in the Colonies, 2nd edition, page 709) Todd says: 'The relative right of both Houses in matters of aid and supply must be determined, in every British colony, by the ascertained rules of British constitutional practice. The local Acts upon the subject must be construed in conformity with that practice wherever the imperial polity is the accepted guide. A claim on the part of a colonial upper chamber to the possession of equal rights with the assembly to amend a money Bill would be inconsistent with the ancient and undeniable control which is exercised by the Imperial House of Commons over all financial measures.'

At page 705 of the same work, we read: 'The Victoria Constitution Act, 1855, sec. 56, and the British North America Act, 1867, sec. 53, severally declares that 'Bills for appropriating any part of the public revenue, or for imposing any tax or impost shall originate in the assembly or House of Commons.' No further definition of the relative powers of the two Houses is ordinarily made by any statute; but constitutional practice goes much further than this. It justifies the claim of the Imperial House of Commons (and by parity of reasoning of all representative chambers framed after the model of that House) to a general control over public revenue and expenditure, a control which has been authoritatively defined in the following words: 'All aids and supplies, and aids to His Majesty in parliament, are the sole gift of the Commons to direct, limit and appoint in such Bills, the ends, purposes, considerations, conditions, limitations and qualifications of such grants, which ought not to be changed or altered by the House of Lords.

'This parliamentary principle, moreover, has been generally if not universally, admitted in all self-governing British colonies by the adoption in both legislative chambers of standing orders which refer to the rules, forms, usages, and practices of the imperial parliament as the guide to each House in cases unprovided for by local regulations.'

'Whenever,' says Bourinot, in his 'Parliamentary Procedure,' 3rd edition, page 626, public Bills grant supplies of any kind, or involve directly or indirectly the levying or appropriation of any tax upon the people, they must be initiated in the proper branch, in accordance with law and constitutional practice. Section 53 of the British North America Act, 1867, expressly provides:

'Bills for appropriating any part of the public revenue or for imposing any tax or impost shall originate in the House of Commons.

And a standing order (rule 78) of the House of Commons declares explicitly:

'All aids and supplies granted to Her Majesty by the parliament of Canada are the sole gift of the House of Commons, and all Bills for granting such aids and supplies ought to begin with the House, as it is the undoubted right of the House to direct, limit and appoint in all such Bills

the ends, purposes, considerations, conditions, limitations and qualifications of such grants which are not alterable by the Senate.'

A Bill granting a pension is a Bill 'appropriating a part of the public revenue' it is equally 'an aid granted to Her Majesty by the parliament' and can, in no possible way, be amended by the Senate.

May is explicit on the subject:

'By the practice, says May, (page 574 of 'Parliament Practice,' third edition) the Lords are excluded. not only from the power of initiating or amending Bills dealing with public expenditure or revenue, but also from initiating public Bills which would create a charge upon the people by the imposition of local and other rates, or which deal with the administration or employment of those charges.

'It follows accordingly that the Lords may not amend the provisions in Bills which they receive from the Commons dealing with the above mentioned subjects, so as to alter, whether by increase or reduction, the amount of a rate, or charge, —its duration, mode of assessment, levy, collection, appropriation or management; or the persons who pay, receive, manage or control it; or the limits within which it is leviable. Other forms of amendment by the Lords have also been held to infringe on the privileges of the Commons, such as the addition of a clause providing that payments into and out of the consolidated fund should be made under the same regulations as were applicable by law to other similar payments; of provisions for the payment of salaries to officers of the Court of Chancery out of the suitor's fund; and alteration in a clause prescribing the order in which charges on the revenue of a colony should be paid.'

Referring now to the Bill before us, let us find out in its constructure what is the element which makes it a money Bill. The Bill reads as follows:

BILL C.

An Act to amend the Senate and House of Commons Act.

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Subsection 2 of section 35 of the Senate and House of Commons Act, chapter 10 of the Revised Statutes of Canada, is hereby amended by adding thereto at the end thereof the following words:—'or in event of serious illness preventing him being present at Ottawa or of serious illness necessitating his returning to his home, on advice of his medical attendant.'

In adding the following words to subsection 2, section 35, of chapter 10 of the Revised Statutes, viz.: 'Or in event of serious illness preventing him being present at Ottawa, or of serious illness necessitating his returning to his home, on advice of his medical attendant,' the Bill imposes the obligation to pay over to a member of parliament who finds himself in the specific conditions determined by this new piece of legislation, a sum of money to which actually he is not entitled under the existing laws. The Bill consequently brings out of the consolidated fund of Canada the necessary money for the payment of a certain number of days of attendance at a session during which a member is absent, and for which absence, under the enactments of the present law, he would not be paid. It is then by itself a Bill appropriating the public funds, and, at the same time, a Bill changing the conditions, limitations and qualifications of certain clauses of a previous money Bill, now the law of the land.

One must not also forget that the rules of the Senate of Canada contain the following clause 70: '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 single rule of ours would suffice to put a stop to any further procedure on Bill (C), but, considering the gravity of the question, as to the stand which suggests itself to the Senate on money Bills, I thought it would be convenient for this House to be acquainted with the sources from which the opinions of the authorities on the subject are to be collected, and I have seized this opportunity to lay the whole question before the Senate.

Taking into consideration the nature of this Bill which appropriates public funds in a manner different from the one determined by the existing law, and taking also into consideration the well known doctrine laid down by our constitution, by the rules of this House, and by the accepted

authorities on the subject, I declare the point of order well taken.

Hon. Mr. CLORAN—Supposing an hon. member was to propose a Bill, enacting that a member should not be absent for fifteen days, or any number of days, would he be in order? This Bill refers to a fund which is already appropriated and voted by both Houses of parliament.

Mr. SPEAKER—My answer covers that ground. The fund must be paid in the way the law prescribes. This is to amend the law and make a larger payment.

Hon. Mr. CLORAN—Has the Senate the right to make its own regulations in regard to attendance?

Hon. Mr. LANDRY—Not against the law of the land.

Hon. Mr. POWER—After hearing the very full, satisfactory and I think also necessary decision of his honour the Speaker, I think it is the duty of the hon. gentleman in charge of the Bill to move that the order of the day be discharged.

Hon. Mr. WATSON—I suppose that is the most effective way to retreat, and I make the motion that the order be discharged. However, as a layman, while his honour the Speaker is quoting authority which I have no reason to doubt, I would like to ask what right the Senate has to excuse a member, as they occasionally do, from attendance, and pay him his indemnity? It seems to me if we have a right to pass a resolution excusing a sick man from attendance, and paying him his indemnity, we are fixing a charge on the country for which we have no authority.

The SPEAKER—All those members paid at the close of the session are paid on a special vote, by the House of Commons.

Hon. Mr. BELCOURT—On a Bill passed by the House of Commons.

The SPEAKER—Yes.

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

The SPEAKER.

CANADIAN PUBLIC HEALTH ASSOCIATION BILL.

SECOND READING.

Hon. Mr. DE VEBER moved the second reading of Bill (X) An Act to incorporate the Canadian Public Health Association. He said: I think this Bill will meet with the full approbation of the House. The object is the development and diffusion of the knowledge of sanitation and all other matters connected therewith, or pertaining thereto. This association is the outcome of legislation of this House. You can remember some three years ago certain matters were referred by this House to the Conservation Commission asking them to take some action. They took action and called together representatives from all the provinces, and at that meeting this association was practically formed. The association contains in its membership gentlemen in all walks of life, united together with the one aim, the conservation of what should be considered in every country its greatest asset, namely the public health. The list is headed by the Governor General. Its honorary officers include Lord Strathcona, the Premier, ex-Premier, and the Premiers of every province of Canada. The executive takes in all the health officers of the different provinces and anybody who reads the names on the application list will see, as I have stated, that it contains people of all degrees and walks in life in every part of Canada.

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

REVILLON FRERES TRADING COMPANY BILL.

AMENDMENTS CONCURRED IN.

Hon. Sir RICHARD SCOTT moved concurrence in the amendments made by the Standing Committee on Banking and Commerce to Bill (F) 'An Act to incorporate Revillon Frères Trading Company, Limited.'

He said: The amendments are purely formal. All the properties owned by the company in Canada, over one hundred, were set forth, and the committee thought the better plan would be to name two trus-

tees, and after the company was incorporated to make an assignment to them of the properties. These clauses were fully discussed last year in the House of Commons Committee, and changes were made, which were afterwards discussed in the House of Commons, and after consultation with the law clerk were adopted in the form we have them to-day.

Hon. Mr. BEIQUE—As I stated the other day, I do not think it would be good policy to introduce in this Bill the right of directors to vote by proxy to the extent of giving to one single director too much control of the affairs of the company. I have prepared a clause which might be inserted in all Bills promoted by foreign capital. I have submitted this clause to Mr. Lafleur, who is acting as promoter of the Bill, and he has accepted the suggestion, if it meets with the approval of the House. All that is required is to amend this Bill or any similar Bills which give to the directors of the company the entire management of the affairs of the company so as to enable shareholders, if they so chose, to limit by by-law the exercise of the power of their directors. The amendment which I propose to introduce would take the place of subsections 2 and 3 of section 12, and would read in this way:

12-A. The company may by by-law classify its directors into two groups, and limit the exercise of the powers of the board of directors to both groups, being presented by some of its members, and such representative or representatives forming part of the majority at the meeting, or otherwise.

There are five directors. To enable the company to hold its meeting in Canada, there must be at least three directors on the board who reside in the Dominion, and the other two might be domiciled in a foreign country. It would enable the shareholders, by by-law, to classify the five directors into two groups. Two of the directors residing outside of Canada, and one of the directors residing in Canada in one group, say group No. 1, and the other two directors residing in Canada forming group No. 2. It would also enable the shareholders by by-law, to allow the directors in group No. 1 giving one of the directors residing in Canada the right to represent their views at the meeting of the board and to prevent any decision being adopted by the board, unless he forms part of the majority in favour of that decision. It would meet the requirements of this company, and I think also of all others. With the consent of the House, I would therefore move:

That the amendments made by the Senate Committee on Banking and Commerce in the Act to incorporate Revillon Freres Trading Company, Limited, striking out sections 2 and 3 of clause 12, be substituted by the following clause: The company may by by-law classify its directors into two groups and limit the exercise of the powers of the board of directors to both groups, being represented by some of its members and such representative or representatives forming part of the majority at the meeting or otherwise.

Hon. Mr. POWER—I do not rise for the purpose of opposing the amendment, because I do not know what it means exactly.

The report of the committee as amended was concurred in.

BILLS INTRODUCED.

Bill (Z) An Act for the relief of Ethel May Stuart.—Hon. Mr. Roche.

Bill (A2) An Act respecting the Ottawa, Brockville and St. Lawrence Railway Company.—Hon. Mr. Derbyshire.

Bill (No. 16) An Act respecting the Patents of Thomas Wadge.—Hon. Mr. Watson.

Bill (No. 52) An Act to incorporate the Pacific, Trans-Canada and Hudson Bay Railway Company.—Hon. Mr. Bostock.

Bill (No. 61) An Act respecting the Gatineau and Ungava Railway Company, and to change its name to the Ottawa and Ungava Railway Company.—Hon. Mr. Tessier.

Bill (No. 56) An Act respecting South Ontario Pacific Railway Company.—Hon. Mr. McMullen.

Bill (No. 62) An Act respecting the Kettle Valley Railway Company.—Hon. Mr. Bostock.

Bill (No. 67) An Act respecting the Interprovincial and James Bay Railway Company.—Hon. Mr. McHugh.

Bill (No. 73) An Act respecting the Vancouver Island and Eastern Railway Company.—Hon. Mr. Mitchell.

Bill (No. 79) An Act respecting the Alberta Railway and Irrigation Company.—Hon. Mr. De Veber.

Bill (No. 81) An Act to incorporate the High River, Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. De Veber.

Bill (No. 82) An Act to incorporate the Northern Territorial Railway Company.—Hon. Mr. Watson.

Bill (No. 84) An Act respecting certain Patents of Thomas D. Rambaut.—Hon. Mr. Watson.

Bill (No. 90) An Act respecting the Esquimalt and Nanaimo Railway Company.—Hon. Mr. Bostock.

Bill (No. 91) An Act respecting the Kootenay Central Railway Company.—Hon. Mr. Bostock.

Bill (No. 92) An Act respecting the Manitoba and Northwestern Railway Company of Canada.—Hon. Mr. Watson.

Bill (No. 93) An Act respecting the United Goldfields of British Columbia, Limited.—Hon. Mr. De Veber.

Bill (No. 105) An Act to amend the Post Office Act.—Hon. Mr. Lougheed.

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

THE SENATE.

FRIDAY, February 23, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILL INTRODUCED.

Bill (B 2) An Act to incorporate the Montreal Transcontinental Railway Company.—Hon. Mr. Beique.

INCOMPLETE RETURNS.

Rt. Hon. Sir RICHARD CARTWRIGHT—I desire to call my hon. friend's attention to the fact that in the return brought down by him yesterday the order of the Senate was not entirely complied with, inasmuch as the names of only thirty out of forty-nine commissioners appointed are given. Perhaps the hon. gentleman thinks that thirty are enough to satisfy our curiosity for the time being; but I should be obliged if he would let us have the names of the other nineteen.

Hon. Mr. LOUGHEED—I shall do so.

THIRD READING.

Bill (F) An Act to incorporate Revillon Frères Trading Company, Limited.—Hon. Sir Richard Scott.

TRANSCONTINENTAL RAILWAY BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (No. 95) An Act respecting the Transcontinental Railway.

(In the Committee.)

Rt. Hon. Sir RICHARD CARTWRIGHT—Did my hon. friend ascertain at what date the first three and a half per cent loan was floated? I think it was in 1905. It is not a matter of any very great moment, still the question was brought up yesterday.

Hon. Mr. LOUGHEED—No, it never occurred to me to make the inquiry; but I shall be glad to do so. May I ask what was the date?

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not think we put any three and a half per cents in the market until after 1905. The point, of course, was simply this: That at the time when these agreements were made, there was a reasonable probability that three per cent guaranteed bonds would sell pretty close to par. If we had been obliged at that time to borrow money at three and a half per cent, that could not have been said or thought. I think we did not float any loans after that date.

Hon. Mr. CLORAN—Will the hon. leader of the House be in a position to tell the Senate the exact amount that the treasury of the country will be responsible for, as the difference between the par value of the bonds of the Grand Trunk Pacific and the amounts that they sell for? Of

course he can tell us the total amount of bonds to be issued, but will have to wait for future developments to find out what they are going to sell for.

Hon. Mr. LOUGHEED—The Department of Finance has estimated that the amount to be implemented will in round figures be ten millions.

Hon. Mr. CLORAN—That is upon an estimated sale of the bonds at what figure?

Hon. Mr. LOUGHEED—I cannot say—I presume at whatever market figure they would be standing at when sold.

Hon. Mr. CLORAN—Then it is up to the company to sell them for what they can get I suppose, after consulting the government?

Hon. Mr. LOUGHEED—I fancy the Grand Trunk Pacific would be anxious to secure the best possible price for these bonds. I would not be apprehensive of any sacrifice of the bonds being made, more particularly in view of the fact that they must first consult the government on the subject. For their own reputation and credit, they would endeavour to realize as much as possible upon their own security.

Hon. Mr. CLORAN—That would not be necessary under the present condition of things. They can afford to sell those bonds as low as possible. I understand the statute contains a provision that they shall consult the government; but that is a very meagre provision. These capitalists can rig the market and have the bonds sold at seventy-five or eighty, and can show that they could not get any more for them. It is a dangerous position for this country to be placed in, and I am of the opinion that the people of Canada will not like to face this expenditure. As I suggested yesterday, if the statute contains no provision now to prevent that condition of things, it is time the government introduced legislation to meet a serious danger. I think I voice the sentiments of the people of Canada in stating the fact.

Hon. Mr. CAMPBELL—Let the government buy the bonds themselves.

Hon. Mr. CLORAN—They might as well.

Hon. Mr. POIRIER, from the Committee, reported the Bill without amendment.

Hon. Mr. LOUGHEED—If the House has no objection, I should like to move the third reading now. The company are very anxious to have the Bill passed, for financial reasons.

Hon. Mr. CLORAN—No doubt of it.

Hon. Mr. POWER—The rules must be suspended to have the Bill read the third time to-day.

Hon. Mr. CLORAN—I do not see any immediate hurry for the third reading. The company will not suffer any more than they have suffered if it will stand until Tuesday next. The country should have time to examine into the matter and bring pressure on the government to make better provision for the protection of the public in the future.

Hon. Mr. POWER—I do not object to the third reading, but the rules should be suspended.

Hon. Mr. LOUGHEED moved that the rules be suspended as far as they relate to this Bill.

The motion was agreed to.

Hon. Mr. LOUGHEED moved the third reading of the Bill.

Hon. Mr. McMULLEN—I regret that the third reading of the Bill was not deferred until Tuesday. I presume that it is urgent: otherwise the leader of the government would not have pressed the third reading to-day. It is much to be regretted that the condition of things regarding the National Transcontinental railway is such that the country is subjected to a large loss without getting anything at all in return. It is no use entering into a criticism of the arrangement made between the Grand Trunk Pacific and the country when the scheme was first inaugurated and at the inception of its construction; but it is to be regretted that we should be called upon to meet this loss. I agree with the views expressed by the hon. gentleman from Victoria division that the government should immediately ask parliament to give them power to

control the sale of the balance of those bonds. If necessary, they should have power to take them over and hold them until they can be sold at par. In the face of the decision of the Privy Council in England regarding the responsibility of the Dominion for the deficit created in the sale of these bonds, I think it would be a prudent and proper act on the part of parliament to clothe the government with power to control the sale of the balance of them. I hope they will not allow the company to sell the balance at a sacrifice, or a considerable reduction. In the face of this decision we might be called upon to pass another Bill like this one to meet a further deficit. It is greatly to be regretted that in connection with this important undertaking such an unfortunate bungle should have occurred, whoever is responsible for it. If the provision of the agreement were all that could be reasonably expected on behalf of the Minister of Justice and the government acting at the time, we had better in the future, if contracts of this kind are to be made, insert a clause in them providing that no further appeal shall be allowed to the Privy Council in any dispute between any person or corporation and the government regarding such contracts as this.

Hon. Mr. CLORAN—It affords me much gratification to find that there is another voice in the Senate able and willing to express the opinions of the country in regard to this matter. Of course, I understand that the government of the day is not responsible for the Bill that is now before parliament; but the House should give the government to understand that in the future they will be held responsible for a recurrence of this condition of things. The leader of the House is a faithful guardian of the interests of Canada, and I am sure will see that his influence on this question shall be felt in the Council Chamber. It is only right that the government should be advised in these matters. Since this debate has started, I am informed that should anything occur to involve the company in ruin, we should have to redeem the bonds at par. The situation is a serious one. I do not look at it from a political or a party point of view, but from a financial point of view. I sincerely hope that although the Bill has got its third reading, the leader of the government in this House will press on his colleagues the advisability —even the necessity of providing some legislation to prevent a recurrence of this state of affairs.

Hon. Mr. LOUGHEED—I am sure the government is keenly alive to the importance of the subject which the hon. gentleman has pointed out to the House.

The motion was agreed to, and the Bill was read the third time and passed, under suspension of the rules.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, February 27, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (C 2) An Act respecting the British Canadian Loan and investment Company, Limited.—Hon. Mr. Belcourt.

Bill (D 2) An Act respecting the Alberta, Peace River and Eastern Railway Company.—Hon. Mr. Davis.

Bill (E 2) An Act to incorporate the Ottawa and Lake McGregor Railway Company.—Hon. Mr. Belcourt.

Bill (G 2) An Act for the relief of William Holloway Adams.—Hon. Mr. Talbot.

Bill (H 2) An Act to incorporate the Guarantee Life Insurance Company of Canada.—Hon. Mr. Farrell.

Bill (I 2) An Act respecting the British Columbia and Dawson Railway Company. —Hon. Mr. Bostock.

Bill (J 2) An Act respecting the Vancouver, Fraser Valley and Southern Railway Company.—Hon. Mr. Bostock.

FIRST AND SECOND READINGS.

Bill (F 2) An Act respecting the Grand Trunk Railway Company of Canada.—Hon. Mr. Watson.

BOUNTIES ON IRON AND STEEL.

INQUIRY.

Hon. Mr. CAMPBELL inquired:

1. In what year did the government of Canada first grant bounties for the production of iron and steel?
2. How much bounty was given per ton for each year?
3. Have the bounties been discontinued, and if so, when?
4. What was the total amount of money paid out for the production of iron and steel in bounties and the names and amount paid to each firm or individual in each year?
5. Is it the intention of the government to renew the bounty, and if so, for how much per ton?
6. If the government decide to renew the bounties on iron and steel, will they also grant bounties for other manufactured goods for export to foreign countries, such, for instance, as flour, agricultural implements, farmers' products, such as beef, cattle, grain, &c., which would greatly stimulate the production of these goods and thus bring our exports up to more nearly balance our imports?

Hon. Mr. LOUGHEED—The reply is as follows:

1. Pig iron, 1883; steel, 1894.

2.—BOUNTIES ON PIG IRON.

—	—	Per ton.
		$ cts.
1883.		
Vic. 46, chap. 14	Manufactured from Canadian ore between July 1, 1883, and June 30, 1886	1 50
	From July 1, 1886, to June 30, 1889	1 00
1886.		
Vic. 49, chap. 38	Amended to $1.50 per ton to June 30, 1889	1 50
	From July 1, 1889, to June 30, 1892 (Canadian ore)	1 00
1890.		
Vic. 53, chap. 22	From July 1, 1892, to June 30, 1897 (Canadian ore)	2 00
1894.		
Vic. 57—58	From March 27, 1894, to March 26, 1899, and in the case of the products of any furnace which commences operations hereafter but prior to the 27th March, 1899, the said bounties shall be applicable to such products manufactured therein during a period of five years from the date of commencing operations (Canadian ore)	2 00

—	—	Canadian ore.	Foreign ore.
		$ cts.	$ cts.
1897.			
Vic. 60, chap. 6	From June 28, 1897, to April 23, 1902	3 00	2 00
1899.			
Vic. 62-63	From April 23, 1902, to July 1, 1903	2 70	1 80
	From July 1, 1903, to July 1, 1904	2 25	1 65
	From July 1, 1904, to July 1, 1905	1 65	1 10
	From July 1, 1905, to July 1, 1906	1 05	0 70
1903.	From July 1, 1906, to July 1, 1907	0 60	0 40
3 Edward VII, chap. 68. (Amending 62-63 Vic., chap. 6.)	From June 30, 1903, to July 1, 1904	2 70	1 80
	From June 30, 1904, to July 1, 1905	2 25	1 65
	From July 1, 1905, to July 1, 1906	1 65	1 10
	From June 30, 1906, to July 1, 1907	1 05	0 70
1906.			
6-7 Edward VII, chap. 24.	For calendar year 1907	2 10	1 10
	" " 1908	2 10	1 10
	" " 1909	1 70	0 70
	" " 1910	0 90	0 40

—	—	Per ton.
1907.	On pig iron manufactured from Canadian ore by the process of	$ cts.
6-7 Edward VII, (a),	electric smelting during the calendar year—	
	1909	2 10
	1910	2 10
	1911	1 70
	1912	0 90
	Bounties on Steel Billets.	
1894.	Manufactured from pig iron made in Canada from Canadian ore and	$ cts.
Vic. 57-58, chap. 9	other ingredients manufactured from March 27, 1894, to March 26, 1899	2 00
	And in the case of the products of any furnace which commences operations hereafter but prior to March 27, 1899, the said bounties shall be applicable to such products manufactured therein during a period of five years from the date of commencing operations. Regulations dated June 22, 1895.	
	Steel Ingots.	
1897.		
Vic. 60-61, chap. 6	From June 30, 1897, to April 23, 1902	3 00
1899.		
Vic. 62-63, chap. 8	From April 23, 1902, to July 1, 1903	2 70
	From June 30, 1903, to July 1, 1904	2 25
	From June 30, 1904, to July 1, 1905	1 65
	From June 30, 1905, to July 1, 1906	1 05
	From June 30, 1906, to July 1, 1907	0 60
1903.		
(Amending 62-63 Vic., chap. 8). 3 Edward VII chap. 68.	From June 30, 1903, to July 1, 1904	2 70
	" " 1904, " 1905	2 25
	" " 1905, " 1906	1 65
	" " 1906, " 1907	1 05
	Steel.	
1907.		
6-7 Edward VII, chap. 24.	For calendar year 1907	1 65
	" " 1908	1 64
	" " 1909	1 05
	" " 1910	0 60
1907.	(b). On steel manufactured by electric process direct from Canadian ore, and on steel manufactured by electric process from pig iron smelted in Canada by electricity from Canadian ore during the calendar year :—	
	1909	1 65
	1910	1 65
	1911	1 05
	1912	0 60
	Iron Puddled Bars.	
1894.		
Vic. 57-58, chap. 9.	From March 26, 1894, to March 27, 1899 (Order in Council dated March 5, 1896).	2 00
1897.		
Vic. 60-61, chap. 6.	From June 28, 1897, to April 23, 1902	3 60
1899.		
Vic. 62-63, chap. 8.	From April 23, 1902, to July 1, 1903	2 70
	From June 30, 1903, to July 1, 1904	2 25
	" " 1904, " 1905	1 65
	" " 1905, " 1906	1 05
	" " 1906, " 1907	0 60
1903.		
(Amending 62-63 Vic., chap. 8). 3 Edward VII, chap. 68.	From June 30, 1903, to July 1, 1904	2 70
	" " 1904, " 1905	2 25
	" " 1905, " 1906	1 65
	" " 1906, " 1907	1 05
1907.		
6-7 Edward VII, chap. 24.	Calendar year 1907	1 65
	" 1908	1 65
	" 1909	1 05
	" 1910	0 60

—	—	Per Ton.
	Wire Rods of Iron or Steel, &c.	$ cts.
1903. 3 Edward VII, chap. 68.	Rolled round wire rods, not more than $\frac{3}{8}$ inch in diameter, &c	6 00
1904. Chap. 39.	Amendment "or when used", to allow bounties to be paid when for use in their own factories.	
1907. 6-7 Edward VII, chap. 24.	Repealing 3 Edward VII, chap. 68. Rolled round wire rods not more than $\frac{3}{8}$ inch in diameter, &c., made after December 31, 1906	6 00
1910. 9-10 Edward VII, chap. 33.	Repealing 6-7 Edward VII, chap. 24, from June 30, 1911.	

Rolled Angles, Beams and other Rolled Shapes, not round, square, oval or flat, weighing not less than 35 pounds per lineal yard and Rolled Plates over 30 inches wide and not less than $\frac{1}{4}$ inch in diameter.

—	—	Per ton.
		$ cts.
1903. 3 Edward VII, chap. 68.		3 00
1904. Chap. 39.	Amendment "or when used" to allow bounties to be paid when for use in their own factories.	
1907. 6-7 Edward VII, chap. 24.	Repealed December 31, 1906.	

3. Answered by No. 2.

	1884.	1885.	1886.	1887.	1888.
	$	$	$	$	$
Londonderry Iron Company	38,213	31,762	33,696	53,197	7,701
John McDougall & Company	4,032	5,783	5,357	5,239	5,756
George McDougall				1,140	1,214
Steel Company of Canada (Londonderry in liquidation)					18,643
Hall Bros.	1,845	1,110	217		
Totals	44,090	38,655	39,270	59,576	33,314

—	1889.	1890.	1891.	1892.	1893.
	$	$	$	$	$
Canada Iron Furnace Company				2,151	12,973
Londonderry Iron Company	30,627	21,586	15,850	26,066	49,906
John McDougall & Company	5,498	3,588	2,926	2,077	3,726
New Glasgow Iron, Coal & Railway Co.					25,871
Pictou Charcoal Iron Company					1,420
George McDougall	1,109	523	1,377		
Totals	37,234	25,697	20,153	30,294	93,896

—	1894.	1895.	1896.	1897.	1898.
	$	$	$	$	$
Canada Iron Furnace Co	15,077	12,582	11,215	14,211	21,804
Grantham Iron Works			3,356		
Hamilton Iron & Steel Co			7,202		
Londonderry Iron Co	49,043	13,046	45,472	9,985	2,123
Nova Scotia Steel Company			101,970	55,017	61,171
John McDougall & Company	5,655	621			5,112
New Glasgow Iron, Coal & Railway Co	55,269	33,695			
Pictou Charcoal Iron Company		3,440			
Ontario Rolling Mills Company				104	5,582
Hamilton Blast Furnace Company				7,576	90,610
Nova Scotia Steel & Coal Co., Ltd					54,412
Totals	125,044	63,384	169,215	86,893	240,814

—	1899.	1900.	1901.	1902.	1903.
	$	$	$	$	$
Canada Iron Furnace Co	20,481	18,235	75,784	98,449	87,472
Ontario Rolling Mills Company	17,511	1,201			
Hamilton Blast Furnace Company	96,070	107,010			
Hamilton Steel & Iron Co., Ltd		8,921	167,469	223,057	148,276
Nova Scotia Steel & Coal Co., Ltd	138,756	137,522	138,458	95,956	132,861
John McDougall & Company	812	5,485	2,379	3,027	5,244
Deseronto Iron Company	6,480	27,026	27,470	22,532	18,675
Mineral Products Co., Pictou, N.S		7,478			
Electric Reduction Co., Buckingham, Que			1,173	169	
Dominion Iron & Steel Co., Ltd			55,286	347,901	960,980
Algoma Steel Co., Ltd., Sault Ste. Marie, Ont					48,297
Totals	280,110	312,778	468,020	791,090	1,401,805

—	1904.	1905.	1906.	1907 (9 mos.)	1908.
	$	$	$	$	$
Canada Iron Furnace Co	86,905	70,321	40,256	28,793	51,213
Hamilton Steel & Iron Co., Ltd	165,445	187,994	206,839	125,678	222,490
Londonderry Iron & Mining Co., Ltd	28,666	44,696	51,525	28,506	37,442
Nova Scotia Steel & Coal Co., Ltd	134,099	131,246	187,693	93,711	181,436
John McDougall & Company	5,029	5,592	4,447	2,063	5,368
Deseronto Iron Company	18,409	16,841	13,664	2,599	7,299
Electric Reduction Company	730	397		235	
Dominion Iron & Steel Co., Ltd	468,134	676,880	957,337	669,043	1,228,915
Algoma Steel Company, Ltd		404,956	535,190	348,292	534,026
Montreal Rolling Mills Co	1,545	1,280	7,387	881	
Lake Superior Iron & Steel Co					17,501
Ontario Iron & Steel Company					252
Atikokan Iron Company					17,211
Totals	908,962	1,540,203	2,004,338	1,299,801	2,303,153

—	1909.	1910.	1911.
Algoma Steel Co. Ltd	304,789	318,815	165,124
Atikokan Iron Co. Ltd	.....	15,100	15,487
Canada Iron Corporation, Midland, Ont	49,264	31,936	17,417
" " Drummondville, Que	3,826	520	1,584
" " Radnor Forges, Que	3,742	7,692	
Dominion Iron and Steel Co	1,067,529	1,029,504	766,340
Hamilton Steel and Iron Co. Ltd	252,311	238,408	101,429
Lake Superior Iron and Steel Co	45,891	54,628	15,452
Nova Scotia Steel and Coal Co. Ltd	130,375	97,346	51,529
Ontario Iron and Steel Co	6,887	4,464	
Standard Chemical Co., Deseronto	.....	10,120	4,386
Totals	1,864,614	1,808,533	1,138,748

Total bounties paid on:

Pig iron	$7,707,648
Puddled iron bars	113,673
Steel	6,706,990
Manufactures of steel	2,701,373
	$17,228,684

5 and 6. It is not the custom to make any announcement in a matter of this kind except in the Budget Speech.

DELAYED RETURNS.

Hon. Mr. CASGRAIN—Can the hon. leader of the government give us any information as to when the return to an address of the Senate for the correspondence re the carriage of mail between Canada and the old country and Canada and the United States will be brought down?

Hon. Mr. LOUGHEED—I am under the impression it has been brought down, but whether it has been placed on the table, or whether I have it, I cannot say, but I shall make inquiry.

LAND GRANTS TO SOUTH AFRICAN OFFICERS.

INQUIRY.

Hon. Mr. MACDONALD (British Columbia) inquired:

If the claims of the following medical men who served in the South African war to land grants or other special recognition for such services similar to that of others who were rewarded for their services in the same campaign have come to the notice of the government?

Should such claims be presented to the notice of the government, will they receive due consideration:—

F. B. Carron, Brockville; Major C. A. Peters, Montreal; N. N. Blanchard, Sunderland, Ontario; C. M. Rolston, Duncans, Vancouver Island; F. C. McTavish, Vancouver; L. C. Price, Moncton, New Brunswick?

Hon. Mr. LOUGHEED—If the cases are submitted to the government, proper consideration will be given to them. I understand they have not been submitted as yet.

REPORTS OF INQUIRY COMMISSIONERS.

MOTION.

Rt. Hon. Sir RICHARD CARTWRIGHT moved:

That an humble address be presented to His Royal Highness the Governor General, praying that His Royal Highness will cause to be laid before the Senate copies of all orders in council under which any persons have been appointed to conduct any inquiries, together with copies of all letters addressed to them in reference thereto, and of all reports received from them, with any evidence they may have taken.

He said: I might remind my hon. friend, the leader of the House, that the names of the commissioners were not all given to me when I moved for the return which he brought down the other day.

Hon. Mr. LOUGHEED—I have made an inquiry in regard to that, and find that it involves making a search in every department of the government, and may take some little time, but I hope to have the remaining names very shortly.

Hon. Mr. BEIQUE—This motion asks for orders in council under which any persons have been appointed, &c. By reference to the Debates of this House, under date 22nd

instant, it will be seen, by order in council dated November 30, 1911, that the Minister of Marine and Fisheries was authorized to appoint a commissioner to inquire into the management and discipline of the government shipyard at Sorel.

Under an order in council dated December 13, 1911, the Minister of Public Works was authorized to appoint commissioners to inquire into charges against officials of the Department of Public Works—interference in politics and otherwise.

By order in council dated December 16, 1911, the Minister of Agriculture was authorized to appoint commissioners to inquire into charges against officials of the Department of Agriculture—interference in politics and otherwise.

By order in council dated December, 20, 1911, the Minister of Marine and Fisheries was authorized to appoint commissioners to inquire into charges of political partisanship against officials of the Department of Marine and Fisheries in the province of Quebec, Nova Scotia, and Prince Edward Island.

I move an amendment, with the hon. senator's consent, that the following words be added to his motion:

Also the names of all commissioners appointed, first, by the Minister of Marine and Fisheries under order in Council 2740, dated 30th December, 1911; second, the names of all commissioners appointed by the Minister of Public Works under order in council 2837, dated 13th December, 1911; third, under order in council, by the Minister of Agriculture, dated 16th December, 1911, numbered 2862; fourth, by the Minister of Marine and Fisheries in virtue of order in council No. 2915, dated 20th December, 1911, and, fifth, by virtue of order in council, by the Minister of Marine and Fisheries, No. 2929, dated 22nd December, 1911.

Hon. Mr. LOUGHEED—Is it good practice to amend a notice of motion. It should be a separate motion, unless my hon. friend desires to accept it as an addendum to his motion.

Rt. Hon. Sir RICHARD CARTWRIGHT—I have no objection to accept it as an addendum to my motion.

Hon. Mr. LOUGHEED—It strikes me as unique that an amendment should be made to a notice of motion.

Hon. Mr. POWER—I think the leader of the House is a little in error. This is not a notice of motion; it is a motion now, and every motion that is made can be amended.

The SPEAKER—This is an amendment to a motion already made.

Hon. Mr. LOUGHEED—When was it made?

The SPEAKER—It has just been made by the right hon. the leader of the opposition, and the hon. gentleman from de Salaberry now proposes to amend that motion by adding certain words.

Hon. Mr. LOUGHEED—My right hon. friend has made his motion. He surely is entitled to move it in whatever form he pleases. It seems to me that is another notice of motion; however, I do not wish to be technical about it.

The SPEAKER—In my opinion, the hon. gentleman is quite in order. He can make any amendment he likes to the motion, without giving notice of the amendment.

The amendment was agreed to and the motion, as amended, was adopted.

THE LATE SENATOR MILLER.

Hon. Mr. LOUGHEED—Before we proceed with the orders of the day, it is my sad duty to make reference to the death, within the last few days, of our late colleague, the Hon. Mr. Miller. He was the senior member of this Chamber, having served in the Senate of Canada for a longer period than any previous senator or any living senator. He was appointed to this House by Royal Proclamation in 1867, and was the last surviving senator appointed by imperial authority. The late Mr. Miller, in his days of strength and vigour, was, undoubtedly, a most useful and distinguished member of this Chamber. From 1883 to 1887 he filled the Speaker's Chair in a most distinguished manner, and with great acceptability to the Chamber. He was recognized as one of the foremost parliamentarians of Canada. His opinion upon any question of procedure, or upon any constitutional question had very great weight. I need not remind hon. gentlemen who have been in this Chamber for many years that at one time the late Mr. Miller was one of the most forceful debaters that

we had upon the floor of this Chamber. He was a man of intense feeling, of great verility of thought, and spoke with feeling and emphasis, and authority upon whatever subject he discussed. Canada is undoubtedly indebted to the late senator for the very active part which he took in the early movement for the confederation of the four provinces. It is very doubtful if confederation would have been carried at that time had it not been for the eminent services rendered by our late colleague. Mr. Miller belonged to a group of very distinguished public men who came from his native province of Nova Scotia, and to whom the Dominion of Canada is very greatly indebted for the public services which they rendered, not only in the preconfederation days, but since that time. That province has been peculiarly honoured in the history of Canada for the statesmanship, the political sagacity and the public services rendered to the Dominion by its public men. I have no doubt that when the history of confederation and of the Dominion of Canada comes to be written in the near future, after party strife and bitterness have disappeared, the late Senator Miller will appear in that history as one of the prominent builders of the national edifice of which we are all proud, I feel assured in saying that this Chamber will join in this last tribute of respect and appreciation to the memory of a man who was the last of the senators appointed by Royal Proclamation, who was the senior member of this body, and who, in the strength and vigour of his lifetime, was looked upon by everybody who knew him as an eminent parliamentarian, and one of our most distinguished public men.

Rt. Hon. Sir RICHARD CARTWRIGHT —Death has been rather busy in this Chamber of late. If I remember right, our friend, Mr. Miller, is the fourth we have lost within the space of as many months. Two of the gentlemen, himself and Sir John Carling, were men who had played very important parts in former years in the history of this country, and I entirely agree with my hon. friend opposite in thinking that in Mr. Miller's case we have lost a man who had done very good service, indeed to the commonwealth during the time he sat in the parliament of his native province. I had not the pleasure of knowing Mr. Miller in earlier years, when he was able to take a more active part in the affairs of this House and elsewhere than he did latterly; but I saw and heard enough of him to realize that in his time Mr. Miller must have been an extremely valuable acquisition to this Chamber as a parliamentary authority. As my hon. friend has said, he is the last link, as far as the Senate is concerned, at any rate, between the men of 1867 and the present time, and I entirely agree with my hon. friend in thinking that every member of this House will unite with him in regretting the loss we have sustained, and in conveying the sympathy of this House to his relatives, both here and elsewhere.

Hon. Mr. MACDONALD (British Columbia)—I regret exceedingly the reason for this beautiful wreath being placed on this desk beside me. I have known Mr. Miller for the last forty years. He was always a courteous and able gentleman, a good friend, a man very useful to the country and very well up in parliamentary practice, and his death is a great loss to the country. I regret exceedingly his departure from amongst us.

Hon. Mr. POWER—I wish to say a few words about the late Mr. Miller. I think that perhaps what I say may have a little additional weight because it happens that, unfortunately, the personal relations between the deceased senator and myself were not always of the most cordial character. As has been stated by the hon. leader of the House, Mr. Miller was Speaker of the Senate from 1883 to 1887. He filled the chair, and discharged his duty as Speaker in a very admirable way. He was, as has been pointed out, a very high authority on parliamentary procedure, and also on constitutional questions. After he had passed through the chair he did not take as active a part in the business of the House as at an earlier day; and not very long after he ceased to be Speaker, the defect in his hearing, which was so perceptible in late years, became rather marked, and it was difficult and awkward for him

to take part in the debates of the House. But hon. gentlemen can have very little idea of how vigorous and able a speaker he was in his palmy days. That is just the one point I wish to make, that of late years, owing to the defect in his hearing, he practically took no part in the business of the House; but in the earlier days, particularly before he became Speaker, he took a very prominent and active part in everything that went on in the House, and was a useful member and a very formidable opponent to those who happened to differ from him.

BILLS INTRODUCED.

Bill (No. 60) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

Bill (No. 76) An Act to amend the National Transcontinental Railway Act.—Hon. Mr. Lougheed.

Bill (No. 97) An Act to provide for further advances to the Harbour Commissioners of Montreal—Hon. Mr. Lougheed.

Bill (No. 103) An Act to amend the Government Works Tolls Act.—Hon. Mr. Lougheed.

Bill (No. 104) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

Bill (No. 111) An Act to authorize the payment of a subsidy to the Collingwood Shipbuilding Company, Limited.—Hon. Mr. Lougheed.

THIRD READING.

Bill (M) An Act respecting certain patents of the Continental Can Company.—Hon. Mr. Bell.

EZRA BUTLER EDDY BESSEY BILL

THIRD READING.

Hon. Mr. EDWARDS moved the third reading of Bill (K) An Act to change the name of Ezra Butler Eddy Bessey.

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

On the motion that the bill do now pass.

Hon. Mr. BEIQUE—I desire to say I do not think this Bill is of such importance as to warrant me making a motion, as it was reported by the committee. I did not happen to be at the meeting of the committee when the Bill was considered, but I must say it is a Bill which is clearly outside of the jurisdiction of this honourable House. I doubt very much if it will be a credit to the Senate to send a Bill of this kind to the other Chamber. However, I do not deem it advisable to make a motion.

Hon. Mr. CASGRAIN—If there ever was a measure affecting civil rights it is this Bill to change a man's name. That is the sort of legislation for which the provincial legislatures exist. This Bill should certainly not pass.

Hon. Mr. BELCOURT—The Bill was passed in the committee against my strong protest, which I have the honour to renew here.

Hon. Mr. DANDURAND—I supported the hon. gentleman from Ottawa (Hon. Mr. Belcourt) in protesting against passing such a Bill, which I think comes under the exclusive jurisdiction of the province.

Hon. Mr. POWER—I quite concur with the hon. gentleman who has just spoken, that there is very considerable doubt as to whether it is a Bill that should come before parliament; but it happens that in this particular case there are very considerable property interests concerned both in the province of Ontario and the province of Quebec; and very distinguished jurisconsults, as I understand, have expressed the opinion that for that reason, on account of the properties being situated in different provinces, the safest course was to have an Act passed by parliament. For that reason I for one should not vote against the third reading of the Bill.

Hon. Mr. CAMPBELL—I was present at the committee when this matter was discussed, and according to the will of the late Mr. Eddy, the petitioner was obliged to change his name within two years. The Bill was brought in last year; but owing to the dissolution of parliament it did not pass. The two years will be up in a very short time, before they could get an Act passed by the local legislature, and in the meantime the opinion of the late Minister of Justice, Sir Allen Aylesworth, was taken on this question, and his advice was that

a Bill should be sought in the House of Commons and the Senate. Considering the large amount of vested interests involved in the matter, the fact that the time has now pretty nearly elapsed, and it would be impossible to go to the legislature for legislation, it was thought that the Senate should pass this Bill, and the committee reported it unanimously.

Hon. Mr. DANDURAND—The difficulty with me is that this legislation is so absolutely ultra vires of the federal authority that it could be quashed before any court of justice. I wonder in what light we would appear if such a procedure were taken and it was found on a clear issue that the Senate and the House of Commons had gone beyond their jurisdiction.

Hon. Mr. CAMPBELL—But the Minister of Justice, Sir Allen Aylesworth, advised this course.

Hon. Mr. DANDURAND—Did the hon. gentleman see that opinion? That statement has been made repeatedly, and I do not think it is doing justice to Sir Allen Aylesworth to make it, if the hon. gentleman has not seen the opinion. I doubt very much if he has given that opinion.

Hon. Mr. CAMPBELL—I did not see the opinion, but the hon. gentleman who was prosecuting this case was before the committee, and he assured the committee that he had seen the opinion, and that he had read it. I do not think he would have made such a statement unless it were true.

Hon. Mr. CASGRAIN—What advantage would it be to these people to pass this Bill if it left it open to any party to say that it was ultra vires and was not any good?

Hon. Mr. EDWARDS—This Bill happens to stand in my name. The young man Bessey has been left a considerable inheritance on the condition that he changes his name from Bessey to Eddy. My opinion is that it is perfectly within the rights of any man, in any of the provinces except possibly the province of Quebec, to change his name of his own motion; and the sole reason, as I understand, for the young man coming here is that it is somewhat a large matter, involving interests, as has been stated, in various provinces, and it is important that the greatest possible publicity be given to the changing of his name. It is always desirable in the case of a man engaged in large undertakings, on changing his name, that there should be some public record of the change. What possible interest can be injured by parliament, the highest authority in Canada, passing this Act? Would hon. gentlemen put the petitioner to the trouble of going to another legislature because they think he should go there? Is it worth while? He takes all the risk that has been mentioned. I venture to say he takes no risk. If he does take a risk, and if any injuries accrue as a consequence, he alone would suffer.

It seems to me that there is no civil right involved; I cannot see that he has not the right to go anywhere to have his name changed. He has a right to change his name, and he simply asks parliament, the highest authority in the country, to put on record that change of name, that is all. It does not affect or injure anybody. I ask hon. gentlemen not to throw out this Bill, but to let it pass.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think we are wasting time over this matter. Change of name, as everybody knows, occurs every day in England and elsewhere when any property is in question. Scores of friends of mine, on getting a piece of property, have changed their names and nobody makes any objection to it. If this gentleman made a mistake in coming to us, the courts can deal with it. I do not think we need refuse to pass the Bill after it has gone through all the stages, and when it will go through the House of Commons.

The motion carried on a division, and the Bill passed.

INQUIRIES ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (No. 19) 'An Act to amend the Inquiries Act'.

(In Committee.)

Hon. Mr. POWER—Although my notice of amendment stands on the notice paper after that given by the hon. gentleman from Toronto, inasmuch as it affects the earlier part of the Bill, I hope the committee will not object to taking it up now. If my hon. friend from Toronto has no objection I move to amend this Bill as follows:

Line 14—Before 'qualified' insert 'other'

Line 15—After 'into' strike out 'and report to the commissioners upon'; and

Line 22—After 'inquiry' insert 'and such persons shall report the evidence and their findings (if any) thereon to the commissioners'.

If the committee will bear with me for a minute, I shall explain why these amendments are proposed. Take line 14 of the Bill: it reads 'Engineers, technical advisers or other experts, or any qualified person. Now the word 'other' is inserted so as to provide that the qualified persons shall be persons of some standing of the same class, as accountants, engineers, or other experts. And further, if we did not put in the word 'other' there, when you come down to 'such persons' in line 17, it might be held that the power to do the things, which power is given to them to do, could be done only by the persons, not by the accountants, engineers, technical officers, &c. In order to remove any doubt I propose to put in the word 'other' before 'person' and to make the other changes. Now in line 15, after 'into', strike out 'and report to the commissioners appointed. The reason for striking out these words is that they are brought in more properly at the end of the clause. Then at the end, after 'inquiry' insert 'and such persons shall report the evidence, and their findings, if any, thereon to the commissioner.' The object of this one, I have no doubt, will commend itself to the House generally; because, where an accountant, or engineer, or technical adviser, is selected by the commissioners to take evidence, it is very desirable and necessary that the evidence should be preserved, and that the parties interested, and the public should have an opportunity of seeing upon what evidence these inferior officers have proceeded. I think that must strike every one as being a desirable thing, and therefore this amendment proposes that the sub-commissioners, if one may call them so shall report the evidence, and their findings, if any, to the commission; otherwise we might have reports made as to the propriety of which we should never be in a position to judge.

Hon. Mr. LOUGHEED—There is no objection to it so long as it goes in properly.

The motion was agreed to.

Hon. Mr. KERR—I desire to qualify the amendment of which I have given notice, and to make it read as follows:

Every commissioner appointed under part II of this Act, and every person engaged as accountant, engineer, technical adviser or other expert under the provisions of this Act, shall be incapable of being appointed to or holding any office, place or employment in the nomination, gift or control of the Crown or of the Governor General of Canada until after the expiration of two years after the report of such commissioner shall have been made.

I hope with that qualification and alteration the hon. gentleman will be able to see his way to accept the amendment. At the time I gave the notice of the amendment, my hon. friend, on behalf of the government, was not willing to accept it, and suggested that the Bill would be withdrawn if my amendment were adopted. I have no desire to embarrass the government in the matter, or to attempt to impose upon the statute an unreasonable or unsatisfactory provision. It appeared to me that so far from this being objectionable to the government, they would have embraced the opportunity to accept it, because it would have relieved them from a good deal of responsibility with reference to the persons who might become appointees of persons who are not their nominees, but are appointees of the commissioners appointed by the government, in other words the sub-commissioners, if one may use that name, although they are clothed with the same full authority that is given to the commissioners. While the commissioners may find it convenient to delegate their powers to what we may call the sub-commissioners, for the purpose of describing them,—to experts in various lines,—but who will be clothed with authority, it did

seem to me that it would be a relief to the government, if, in appointing them, they were appointed, not from political exigency, not because of some party service they may have rendered the government for some employment, but that the commissioners would appoint them by reason of some special qualification which these persons would have for the purpose of investigating more thoroughly and completely the particulars than the commissioners themselves could do. In other words, supposing the commissioner were a professional man appointed by the government, he might have no knowledge or intimacy with the keeping of accounts, and it might put him in such an embarrassing position that he would be unable to appreciate, or grasp, the special dealing with this particular account of which it was important that he should have some knowledge, and, therefore, he would delegate the same to a sub-commissioner for investigation, or it might be to an engineer, if it became a question where special engineering skill was necessary. Now, neither one of the three commissioners appointed to do that work might be able to grapple with the difficulty, and it appeared to me it would relieve the government very much if these people selected as sub-commissioners were persons who were not looking for or pressing upon the government claims by way of reward beyond the compensation paid to them for the work. It would entirely relieve the government of responsibility which might be imposed upon them by the commissioners who were appointed by them—and for whose work, in fact, the government must assume the responsibility—if these sub-commisioners are to be selected by the commissioners from amongst a group of applicants for government situations. If there is one thing more prominent than another in the British mind—and I mean by that to include the Canadian mind—it is the desire to see fair-play and just treatment meted out to everybody. I think it is the duty of the government to see that nothing is done which may, in fact, be foul play instead of fair-play, or which may be unjust, and which may be done by persons because of over-zeal or a desire to gratify their own animosity. Under those circumstances, it appears to me that, on consideration, the government will find that if they are relieved from responsibility in respect to the sub-commissioners, they will be in a better position. The sub-commissioners ought to be people who will understand they are not working for another man's office, that they are not endeavouring to create a vacancy in order that they might themselves be appointed. They are not appointees of the government, but the appointees of the commissioners.

If they are known to be pressing claims or seeking positions, or looking for public appointment, or pressing upon the party, or public, that they should receive patronage in some way, and are appointed, the public will at once view that inquiry with alarm, and say, 'This is not British justice, and the ministers ought not to countenance such a thing'; but with this amendment the answer will be, 'These men are disinterested applicants, but by virtue of their acceptance of this position they become disqualified for appointment to another position. I am not going to take the responsibility as to what shall be done in this matter. The responsibility is with the government. They come here and say, 'We want amendments to the Inquiry Act. We desire to be in a position to prosecute this matter to the hilt, and therefore we want the power to appoint experts, and every assistance to the commissioners, and clothe them with all the authority of commissioners—not that we appoint them, but we will enable our commissioners to appoint them, and give them the same powers.' It will relieve them very much if they say when these men are employed, 'At the same time you understand that by accepting this position you are doing it with a disqualification for future appointment for a term of two years.

Hon. Mr. MACDONALD (British Columbia)—Does the hon. gentleman stick to the five years?

Hon. Mr. KERR—That may be too long a term. I have proposed to shorten it, and provide that they shall not be eligible for appointment for two years. I appeal to the government whether it is not an advan-

tage to them. I am seeking it in the public interest alone. They are responsible in determining what is to be for the public advantage or gain. If they say that the passing of the amendment will oblige them to withdraw the Bill altogether, then I will not press my motion; but it seems to me that that carries with it the statement, 'There is a group of men looking for employment. We cannot give them positions now because they are filled, but we can appoint them at $30 a day, or whatever it may be, to dig a hole for some office holder, to be as a grave for him, and then we will let the sub-commissioners investigating him occupy the position. It seems to me that instead of being regarded as objectionable, it should be accepted as being of considerable advantage to the government.

Hon. Mr. LOUGHEED—Possibly my hon. friend's attention has not been directed to the law as it at present stands upon the statute-book. For many years the law has been as we find it in the Bill before us, so far as part 2 of the Act is concerned. The law has been the same for many years, in fact it has come down to us from a former revision of the statute, that under part 2 of the Act power was given to the commissioners to delegate authority to sub-commissioners for the purpose of taking evidence, and for such purposes as are now contemplated in the Bill. I will read the Act as it is to-day. Section 9 of chapter 104 of the Inquiries Act reads as follows:

> If, by reason of the distance at which any person whose evidence is desired resides from the place where his attendance is required, or for any other cause, the commissioner or commissioners deem it advisable, they may issue a commission or other authority to any officer or person therein named, empowering him to take such evidence and to report the same to him or them.

Then it goes on to state how and what they shall do. This was the law under the late government. I have not heard of any representations that the former government abused the authority vested in them under the Inquiries Act. Why should we, therefore, view with alarm the possibility of an unreasonable exercise of such a power? I think I have only to appeal to every hon. gentleman in this Chamber that it would be unreasonable in the extreme to say that any commissioner acting under part 2 of the Act, or any person acting as adviser, accountant or other officer, should be debarred from holding any office, place or employment in the nomination, gift or control of the government until after the expiration of two years after the report of such commissioner shall have been made. It would engraft upon the present law a disqualification of all such experts as I have mentioned. We surely must entrust the government with the administration of the public works of this country. We entrust the government with the administration of the entire revenue of the country, which now exceeds one hundred million dollars, and I do not think that any government, I care not whether it be this or any other government, is going to be so recreant to its trust as to abuse a simple power such as this, and, furthermore, I think we should have more confidence in the integrity and ability of the people of Canada who would be called to serve upon a commission of this kind—that is to say the accountants, engineers, technical advisers and experts—than to penalize (because it means penalizing) this class of men from acting upon commissions because of the fact that they would not exercise fair play in the discharge of the duties entrusted to them. I care not whether a man be a bitter partisan or not, when you place upon his shoulders responsibilities, particularly of a quasi judicial character, he almost invariably discharges the duties of the office fairly. I have the greatest confidence in my fellowman, that he will discharge these duties just as faithfully and with the same sense of fair play and justice as if he had never been in politics.

Rt. Hon. Sir RICHARD CARTWRIGHT—Great is my hon. friend's faith. There is a faith that can move mountains, and there is also a faith that can swallow them, and he desires us to exercise the latter in expecting that bitter partisans wil be transferred by a royal commisioner into impartial judges. I state most expressly and explicitly, speaking I believe for the Liberals in this House and the Liberal party generally, that we have not the slightest desire to hamper or impede the fullest investigation possible. We

court and desire it, but I add two conditions: we desire it on the condition, first of all, that the parties who may be accused shall have full notice of the charge brought against them, and, in the next place, that they shall be tried before an impartial tribunal. I am quite sure my hon. friend, in his personal capacity, will not object to these two propositions, nor do I think he will object to my definition of an impartial tribunal. As I understand an impartial tribunal, it must have at least three qualifications. First of all, the accusers should in no case be the judges. In the next place, the judges, whoever they may be, should be persons free from bias, and I do not share my hon. friend's optimistic view that political partisans fresh from a contest are likely to be free from bias. I have had a longer experience in public life than he, and I think I can assure him that I would not entrust myself to act on such a commission, much less the gentlemen whom he is likely to appoint.

Hon. Mr. LOUGHEED—I would place full reliance on the right hon. gentleman's sense of justice in a matter of this kind.

Rt. Hon. Sir RICHARD CARTWRIGHT—I say no political partisan is likely to be without bias in dealing with a political opponent. In the third place, no tribunal can be said to be properly impartial, if the men who form it are likely or expect to receive favours from either of the litigants before them. My hon. friend will hardly gainsay any of these propositions. I appeal to him, not in his position as representative of the government in this Chamber, but as senator from Calgary, and as such senator, I am quite sure he will agree with me, although he could not, as the mouth-piece of a set of colleagues, who are, some of them, I fear, no better than they should be—and I am sertain the hon. gentleman who site beside him (Hon. Sir Mackenzie Bowell) would heartily endorse that view, at least as regards one of them.

I have not, I admit, the most implicit confidence in what these hon. gentlemen may do. That may be prejudice on my part. Practically speaking, what are we doing? My hon. friends know perfectly well that to a very considerable extent this is an attempt to impeach the late administration. I have no objection in the world that they should impeach the late administration; but I say there is a proper way to do it. If they want to impeach the late administration, they should bring specific charges against them on the floor of parliament. After having done that, if the parties are not able to clear themselves, or if there is a dispute on questions of fact, they have two courses before them. They can refer the matter to a committee of the House, or they can refer it to a really impartial tribunal formed of judges of the land or, let us say, by parties approved by both Houses of parliament, and I assure my hon. friend that we shall not be too particular, if he will send us any gentlemen of reasonably good character, and free from the imputation of being partisans we will not be too particular in accepting them.

Hon. Mr. LOUGHEED—The right hon. gentleman will be safe in the hands of whoever we appoint.

Rt. Hon. Sir RICHARD CARTWRIGHT—There are three courses open: there is the strictly British course, and I recommend it for his consideration. The lower House are always entitled to impeach ministers before the upper House; suppose they try that. I am afraid my hon. friend is neither disposed to bring his charges, and his colleagues are not disposed to bring charges before a committee on which both sides would be represented, or to follow the English precedents.

The singular thing about this whole matter is this; specific charges have not been preferred, and are not likely to be preferred, in my opinion. On the contrary, this Act is being abused and as the returns I think sufficiently show, a great number of fishing enquiries are being made which were not intended to be instituted under the Act. The Act was intended to provide for cases where strong prima facie evidence of misdoing was brought out and where it was desirable for various purposes that the officers of the department should be freed from the necessity of going great distances to examine witnesses. I take it that the

motives of the government in this matter have been of a two-fold character. I have had experience, as well as my hon. friend, of the difficulty which governments, and particularly new governments have of satisfying the rapacious hordes of camp followers who always make their appearance on such occasions. Perhaps both things have occurred in the present case. Hon. gentlemen are desirous of giving sops to this hungry horde, so well described by Mr. Osler in certain statements which appeared at length in the government journals as well as ours; and their second object, not a very good object either, is to fish up evidence against their predecessors. If they have specific charges to make, let them be made and let such charges be referred, if they see fit, to committees or to tribunals, constituted as I have indicated.

If the late government had pleased when they came into office some fifteen years ago, they could have, without the slightest trouble, instituted a great number of inquiries, and on very much better grounds than hon. gentlemen are instituting them now. There are men in this House who, I dare say, remember the case of Mr. Thos. McGreevy; and they remember that when the late government came into power, if they had chosen, they were in a position, not on bare suspicion, but on positive knowledge, to have obtained the fullest and most perfect evidence of sins of their predecessors during a period of at least thirteen years. I am not going to pursue that matter now; but I am going to point out to the hon. gentleman that the late government, whatever their faults may have been, decided not to pursue such course; they said, 'It is the better way to take Canada out of the slough of despond in which Canada was floundering in 1896. They applied themselves in the first place to stopping the exodus. They applied themselves to developing the Northwest. They broke up the monopoly which was choking the life out of that country. They allayed or removed the causes of friction between us and our great neighbour to the south. They gave Canada fifteen years of such prosperity as it had never enjoyed before, and as I strongly suspect Canada will not enjoy soon again, unless she succeeds in exorcising the evil spirits who have, I hope only temporarily, got control of her destinies. We did not avail ourselves of the opportunities which were in our hands of making a most terrible exposee of what had occurred during that period, and we did it for very good reasons. We did not desire to see the fair fame of Canada any further besmirched than it had been in former years. What have my hon. friend's colleagues been doing up to the present time? Their record is not exactly the same as ours. They have bestirred themselves I admit. They have, in the first place, carefully shirked initiating any legislation on the famous Ne Temere business, after abusing my right hon. friend Sir Wilfrid Laurier from one end of Ontario to the other, because he would not take any legislative action on the subject; but they have done more than that. They have shuffled and more than shuffled on their naval policy in a fashion which has made the very word destestable in the nostrils of their followers. They have done something. They have had two years to hatch out a naval policy, and, I see by the last 'Gazette,' they have succeeded in devising regulations for a brass band for the Canadian navy to be operated by fifteen or sixteen performers. I fear woefully out of tune, but warranted to play no airs which would be distasteful to Mr. Henri Bourassa or Armand Lavergne. In addition to that, they have been trying to dodge the Manitoba school question, which I do not think they will succeed in doing. They are also desirous of putting up a tariff screen, behind which the Associated Manufacturers' who put them where they are, can conspire to delude and plunder the people of Canada. I suppose both parties knew what they were best fitted for. We endeavoured, as far as we could, to resuscitate and revive Canada and restore her reputation. We gave our people a chance to regain self-respect. Hon. gentlemen opposite, taking council together, have decided, as these inquiries show, and as returns brought down show, to run a detective agency as being the work most congenial to their dispositions. I say that the open and honourable course to have taken

in this matter was the course which was taken by my friend Mr. Huntingdon in respect to Sir John Macdonald many years ago, which was taken by Mr. Tarte in respect to Sir Hector Langevin, and that was taken by myself with respect to Mr. J. C. Rykert, and in that, I think, I was supported by my hon. friend from Hastings (Hon. Sir Mackenzie Bowell). If my hon. friend desires to impeach, the better way is not to send out a fishing commission, which some of these commissioners appear to be; the proper way is to impeach directly in open court. If they cannot face parliament with a sufficient amount of evidence, or face the courts, I do not think they ought to set to work to manufacture evidence. I trust that my hon. friend, on consideration, will see his way to accept the amendment offered by my hon. friend from Toronto. He ought to see for himself that it is in the interest of the government, that the men that they appoint should be men who are above suspicion. Otherwise the reports that they may bring forward will be of no particular value. Unless he appoints men such as I have indicated, either judges or men approved by both Houses of parliament, he cannot expect that their reports will be received with any degree of respect or favour, even by his own supporters in the country. It appears to me that the hon. gentlemen are doing a thing which, perhaps, they had not fully weighed, and which is likely to lead to very great injury to the state. They have appointed some fifty commissioners at an average of $20 a day, $15 salary and $5 living allowance. These men, in all human probability, will not give up so good a job in a hurry. I noticed that in the post office alone some nineteen of these gentlemen are to be appointed. For what purpose? To investigate all charges that have been made against little petty country postmasters having an annual income of thirty or forty dollars a year. Why, these nineteen men, in the course of a single week, would waste, taking into account the probable cost of the witnesses they will examine, twice as much as the total income of the parties on whom they are sitting in judgment. That is only one specimen of the various matters which the hon. gentleman has brought down in the return that I have just spoken of, judging from what I see of the parties who have been appointed commissioners. The hon. gentleman may perhaps do well to remember that the Senate is a co-ordinate branch of the legislature; that this Senate has powers quite equal to those of the other chamber except in money matters, and if these gentlemen proceed, as I fear they will proceed, under the circumstances, it may become the duty of the Senate to investigate the investigators, and to give them the sensation of being hunted as well as being hunters. I hope it will not come to that; but I give a fair notice to my hon. friend that the Senate will certainly feel it it's duty to keep a careful eye on the fifty gentlemen whom his colleagues have chosen to appoint on these several commissions. As for myself, as my hon. friend has said, the government have power to do very nearly as much under the old Act as they have under the present Bill, and therefore, if the government refuse to accept the amendment, I see nothing for it but to allow the Bill to go through.

Hon. Mr. LOUGHEED—Do I understand my hon. friend is going to insist upon his motion? Of course we are in the hands of the House; but under no consideration would the government accept an amendment of this character, to cut down the present Act, a law that has been on the statute for several years. It would only result, I might say to my hon. friend, in placing the Senate in a rather humiliating position, for this reason: I have no doubt that if the matter were put to a division at the present time, the Senate might possibly amend this Bill in accordance with the views expressed by the hon. gentleman who moved the motion; but the government or the House of Commons certainly could not consent or would not consent to a vote of want of confidence such as is necessarily expressed in this amendment. It means a want of confidence in their exercising a proper discretion in carrying out the law as it is at present upon the statute-book. It would only result in the Bill coming back to this Chamber again with the inquiry whether this Chamber should insist upon the amendment. I do not know whether my hon. friend wants

to drive the Senate into a conference with the House of Commons. It would mean the dropping of the Bill, because the government would certainly drop the Bill rather than be handicapped by the amendment. This confidence should certainly be placed in the government the same as has been placed in former governments, the same as it is upon the statute-book of to-day. I furthermore say that not in the whole of our statutes will my hon. friend find anything to parallel this amendment. I know of no statute which penalizes the person who will do an act in accordance with public duty. It is purely an act of public duty. Under the Act as we have it to-day the commission can issue subpoenas and call before them any expert engineer, or accountant, or any one having technical knowledge of the subject before them, because the commissioners are exercising that power already vested in them by a statute. Is such an expert to be penalized for two years from occupying a public position.

Rt. Hon. Sir RICHARD CARTWRIGHT—I understood my hon. friend who moved the motion to say that he had no intention of doing that.

Hon. Mr. LOUGHEED—I should be very sorry to think my hon. friend would wish to place upon the statute-book a provision having that consequence; yet all one has to do is to read the amendment to see what the effect of it would be. Manifestly it would be to penalize any one engaged before the commission.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think my hon. friend explained that his intention was only to penalize them if they acted as sub-commissioners.

Hon. Mr. LOUGHEED—As it reads, I would point out to my hon. friend, it is not an amendment, but a substantive clause, 'Every commissioner appointed under part 2 of this Act, and every person engaged as an accountant engineer, technical adviser, or other experts under the provisions of this Act shall be incapable of being appointed to or holding office. The commission has power to issue subpoenas, in fact all the powers of a court to bring before them this class of evidence and assistance, and I should be very sorry to think that my hon. friend would seek to enforce upon such a class of witnesses a penalty such as is proposed by this amendment. I can only repeat that we want the law as it is to-day, and in addition we want to extend that law to part 1 of the Act as well as part 2. My hon. friend's amendment proposes to cut down the statute as it is to-day, and as it has been on the statute-book for probably twenty years. Surely the government should be vested with confidence in administering public affairs, particularly in inquiries of this kind, and are justified in asking this House to put in their hands the fullest possible machinery for the purpose of a thorough investigation. Furthermore, is it not one of the highest duties of the state that the government should be charged with investigating every public abuse which may possibly arise? There is no government so invulnerable that it would be utterly impossible for public abuse to rise under their administration. It is no reflection upon the administration of the government that public abuses enter into departments, and into public life. We have probably nothing more clearly established to-day in the history of our public life than that the minister who is responsible for the administration of a department does not profit by the many abuses and grievances which have built up colossal fortunes for others. I think one of the highest tributes than can be paid to the public life of Canada is that very few minister's have profited financially from the administration of their departments. We know it is the contractors and the camp followers, and those who lay down distinct lines for the purpose of profit, by reason of their connection with these departments, and it is the duty of the state, and the duty of the government of the day, and the duty of the opposition to join with the government of the day to place on the statute-book the most effective machinery for stamping out corruption, for investigating abuses, and for the purpose of giving us a pure administration of public affairs. Instead of endeavouring to handicap the government in this way, the fullest and most effective powers should be placed in their hands.

Hon. Mr. KERR—I do not desire in any way to handicap the government; that is not what I am doing; but when the government say we have authority to appoint commissioners, we extend the authority of these commissioners and we desire now to authorize those commissioners to depute accountants and experts and various other persons, reporters and others, when they seek to entrust them and clothe them as they may afterwards do with the authority of commissioners, as the Bill points out. But I provide in my amendment that the persons that they so appoint should be selected from a class of people who are not asking for public positions, who are not seeking employment of that character. That is all, and I think my hon. friend agrees with me in the view that the commissioners should be above reproach. I am not reflecting upon them, but I say that when a man accepts a position as commissioner to investigate an office for which he had been an applicant, then I would be very much disposed to insinuate that he is hardly a fair judge.

No one would think for a moment that a person who was an applicant for a position would be a fair judge, or who may be looking for an appointment. The government may not know that the person is an applicant for a position; he may be an applicant through the local member, or someway like that; his name may be the one to be submitted when the proper time comes, when there is a vacancy; but the man himself knows it, and he can say,—and he is the only person that this strikes at—'I cannot accept that position, because I am an applicant.' Surely there are enough men to be found in this country, fair men, just men, judicial men of one kind and another to discharge this duty without driving the government to resort to appointing applicants for positions. I have been endeavouring to be careful that I should impute nothing either to the government or the commissioners; but it is to the men who, are to investigate, in other words, the men who are to work up a case against some man in order to make a vacancy. Will my hon. friend say that that is not a fair position? Does he say that that will be objectionable to the government? Does he say that the government desire to have liberty to employ men who are now supplicants for office?

Hon. Mr. LOUGHEED—No. My hon. friend's premises are entirely wrong. He seems to assume that because a man would act upon this commission, that he is necessarily an applicant for office, and consequently he enters upon duty handicapped, penalized, prevented from acting freely. Why should any citizen of Canada be penalized because he is going to act upon a commission of this kind? Why should not the greatest confidence be placed in him, the same as you would place confidence in any other public servant, or any other citizen?

Hon. Mr. KERR—The hon. gentleman knows that it is not one or a dozen, but it is by the hundred and thousand throughout this country they are applying for positions.

Hon. Mr. LOUGHEED—No, I don't know that at all.

Hon. Mr. KERR—There is not a member who has a position of influence in the party that is not besieged by people asking for employment, for positions under the government in the country. When a man is asked to discharge a duty like this, he knows, by looking at the Act, that if he accepts that position he must abandon all idea of getting an appointment for, at all events, two or three years—in other words the government cannot give it to him.

Hon. Mr. MACDONALD—Why don't you examine every one who applies?

Hon. Mr. KERR—That is not the point. The point that I am aiming at is that the man himself will know he is a person who is ineligible to receive that appointment, and if he came to the government afterwards and saked for a vacancy, whether a custom-house in one town, or a post office in another, the answer should be, 'You knew about it; you knew the Act; you cannot be appointed.' This is strictly in the hands of the government.

Hon. Mr. LOUGHEED—May I ask my hon. friend if he thinks that a man, even should he not have in view a government position, would act freely in a position of this kind, feeling that he was penalized should a condition arise subsequently by

which he might secure a government position?

Hon. Mr. KERR—Any right minded man would say under such an amendment to the Act: 'I can accept this because it cannot be imputed to me that I am wanting to make a place or a vacancy.'

Hon. Mr. LOUGHEED—Yes, but does the hon. gentleman go further and say that —because it means his condition of mind may change within two years, and then he is disqualified

Hon. Mr. KERR—Then I leave the responsibility to the hon. gentleman, if he says that is fettering the government, interfering with the administration of the Act, I will ask leave to withdraw the amendment.

Hon. Mr. CLORAN—I would ask the hon. leader of the House how many commissioners or sub-commissioners have been appointed so far?

Hon. Mr. LOUGHEED—So far as my personal knowledge is concerned, nearly all the commissioners to which my right hon. friend has referred have been commissions appointed similar to those formed in 1896, after the late government came to office, for the purpose of investigating acts of political partisanship. That was done, as my right hon. friend knows, in 1896. As yet we have not reached the number of commissions that were issued in 1896; possibly we may do so. The only commission of any importance that I am aware of is the Public Service Commission, and I might say to my right hon. friend that the object of that commission is not as he seemed to anticipate. The object of that commission, and, as set out, I think, in the order in council, is chiefly to inquire into the methods employed in transacting public business, that is, referring to systems of business and so on—that control the expenditures, the construction and maintenance of public works, the administration and alienation of the public domain, the discipline and efficiency of departmental staffs, the duplication of the same, and similar work in two or more departments. The main object the government has in view is to introduce into the departments, if at all possible, efficient business systems such as are now being introduced into all the large departmental offices of financial companies—railway companies and other large companies. I think my hon. friend will be very much disappointed if he finds that this commission has any muck-raking object in view. Such is not the design of the government nor the design of the commission, and I think every hon. gentleman will join with me in saying that it is very desirable that our departmental business, which is of an enormous and expensive character, should be placed under the most efficient system possible.

Hon. GENTLEMEN—Hear, hear!

Hon. Mr. CLORAN—I am very glad to hear the last statement from the leader of this House that these investigations, at least the principal one, is not a muck-raking and mud-slinging one, but is instituted for the best interests of the administration to secure better and safer methods of handling public goods, &c., and handling public moneys. That is a laudable object on their part, and I congratulate them on the stand they have taken in regard to it. There is no doubt that business methods are improving every day; and that the object, as declared by the leader of the government, cannot but have the approval of this House and of this country. So far as that goes, it is well; but I do not think that all the ministers of the present government are built of the same moral fibre as the leader of this House. I really don't think so. They did not show it in Renfrew, anyhow; they did not have the moral courage of good faith. They broke the word of their party; so that I am fearful—and especially if this Act is going to empower the three commissioners who, I believe, are already appointed, if I am not wrong in suggesting their names—Mr. Morine, Mr. Ducharme, and Mr. Lake. We may have something to say about these commissioners later on. We will keep our eye on them; some of them need watching. But I would like to know if, under this Act, these three commissioners have the power to vest a subcommissioner, be he an accountant, an expert or engineer, with their powers?

Hon. Mr. LOUGHEED—Yes, in departmental investigations they have.

Hon. Mr. CLORAN—Well, I put a fair question to the hon. gentleman: Does he not think that is a dangerous thing?

Hon. Mr. LOUGHEED—It has been law for many, many years.

Hon. Mr. CLORAN—But isn't it dangerous to continue it?

Hon. Mr. LOUGHEED—No, I would not say so.

Hon. Mr. CLORAN—The government is responsible for the acts, and actions and conduct of the three commissioners, but they will not be responsible for the minor acts of the sub-commissioners who may be any kind of under-strappers of the party. That is where the danger lies. I have every confidence that the government will do their best to appoint men in whom the people of the country will have confidence; but those men will not know, and will not be in a position to know, every soul from Vancouver to Halifax. The result will be that they will have to depend upon some politician to name a sub-commissioner.

Hon. Mr. LOUGHEED—No, it is done by order in council, so that the government assumes the responsibility.

Hon. Mr. CLORAN—I know it is done by order in council; but these things are done on the recommendation of some politician in the same county, whether it be the defeated candidate or the member or some prominent worker in the party. To my mind, the clothing of these sub-commissioners with all those great powers, creates a danger. It may not, but it is pretty hard to go over 222 or 224 counties of the Dominion of Canada, and find everybody you are going to name as a sub-commissioner an impartial and a wise judge. It will be pretty difficult to do that. The danger of the sub-commissioners will not lie in the fact that they will investigate the departments and the higher branches of the administration; they will be put to do the dirty work of the party, to find out crimes of political partisanship, whether a poor postmaster in a back concession threw up his hat for Mr. Borden, or threw it up for Sir Wilfrid Laurier. We have had instances here of attention being called by members of the Senate to dismissals of officials on purely political or partisan ground. The danger lies there, and I leave it to the hon. leader of the House if I am not fair in putting the case. I don't suppose I can change the law. The Senate does not intend to change the law; but I am simply pointing out to the hon. leader of the government, and to the government itself, the danger that lurks in this Bill if not properly safeguarded at once.

The CHAIRMAN—The hon. mover of the amendment withdraws it.

Hon. Mr. POWER—I don't see why we are spending so much time on the amendment after the mover has withdrawn it.

Hon. Mr. DERBYSHIRE—It is all withdrawn. For God's sake sit down.

Hon. Mr. ELLIS, from the Committee reported the Bill with amendments.

SECOND READINGS.

Bill (16) An Act respecting patents of Thomas Wadge.—Hon. Mr. Watson.

Bill (52) An Act to incorporate the Pacific Trans-Canada and Hudson Bay Railway Company.—Hon. Mr. Bostock.

Bill (56) An Act respecting the South Ontario Pacific Railway Company.—Hon. Mr. McMullen.

Bill (62) An Act respecting the Kettle Valley Railway Company.—Hon. Mr. Bostock.

Bill (67) An Act respecting the Interprovincial and James Bay Railway Company.—Hon. Mr. McHugh.

Bill (73) An Act respecting the Vancouver Island and Eastern Railway Company.—Hon. Mr. Mitchell.

Bill (79) An Act respecting the Alberta Railway and Irrigation Company.—Hon. Mr. De Veber.

Bill (81) An Act to incorporate the High River Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. De Veber.

Bill (82) An Act to incorporate the Northern Territorial Railway Company.—Hon. Mr. Watson.

RAMBAUT PATENT BILL.

SECOND READING.

Hon. Mr. WATSON moved the second reading of Bill (No. 84) an Act respecting certain patents of Thomas D. Rambaut.

Hon. Sir MACKENZIE BOWELL—Before that motion is carried, I notice there were two notices for the extension of the time of such patents on the order paper for to-day. I happened to be out when the first one was called. As the Senate knows, I have taken exception in very many cases to the renewal of patents, and I would like to call attention of the hon. mover to the last clause of this, and also of the former Bill, for which he moved the second reading, and referred it to the committee. He will see it contains a proviso—there is an exemption. It exempts all persons who have commenced the manufacture of these articles during the time that the patentee has not exercised his right; and then there is a proviso that unless the manufacture of those articles has been with the consent and permission of the patentee or the party who is applying for the patent, it is to have no effect whatever. In other words, if the inventor or the person who purchases an invention obtains a patent in Canada and fails for a number of years, as in this case, to commence the manufacture of the article, and another person finds there is a market for it and it will be of advantage to manufacture it as cheaply as possible in the country, he is exempt, ostensibly, under the first portion of the last clause; but it winds up with the proviso that the commencement of the manufacture and the continuance of the manufacture of that article must have been originally with the consent of the patentee, or the person to whom the patent has been assigned. So that virtually it cuts out every one who may have commenced the manufacture of the article, unless he has first had the written permission of the party who made the invention or the party who purchased the patent. My reason for calling attention to this is that I have been very strongly impressed with the objections taken over and over again by the senator from St. Thomas (Hon. Mr. Wilson) that these Bills are introduced and get the first and second reading and go to a committee without any explanation being given to the House why the application for the extension should be granted. I venture the assertion that outside of the members of the Private Bills Committee there is scarcely a member of the Senate who knows anything about the contents of the Bill, the effect it will have upon trade, or whether we are justified in extending the privilege sought for. In cases of this kind there should be some information given to the Senate before they are asked to commit themselves to the extension of any patent. I propose to read the last clause in order that the Senate may see exactly what it means. The Bill before us deals with patents relating to the preserving of vegetables, and removing the water, &c., from the vegetable that is about to be preserved. It is a very important industry, I should judge, and from the fact that our canning industries in Canada are of so extensive a character, the widest possible liberty should be given manufacturers to enable them to produce the best and purest quality of food in the way of canned vegetables under the best system without having to pay a too extortionate price. After the parties who obtained a patent for carrying on a business of this kind have allowed it to lapse for eight or ten years until they find an opportunity of commencing business in the country, seeing that some one else is beginning to manufacture the article, they step forward and ask for the prohibition of the manufacture by any person except themselves.

The last clause of the Bill says:

> If any person, other than any licensee, has, in the period between the expiry of two years from the date of the said patents and the first day of February, one thousand nine hundred and twelve, commenced to manufacture use or sell the inventions covered by the said patents, such person may continue to manufacture, use or sell such inventions in as full and ample a manner as if this Act had not been passed.

If it stopped there it would not be so objectionable, but here is the addition:

> Provided that the exemption shall not extend to any person who has commenced the construction or manufacture of the said inventions before the expiry of the said patents, without the consent of the holder of the said patents.

It seems to me that we are tying up the trade of this country to a very great extent by the constant renewal of patents, where people have neglected to commence the manufacture under them. The moment they fail to comply with the provisions of the law as to manufacture, the article should be open freely to the whole market. There should be good reasons shown why such measures should be introduced in this House, where parties have treated the law with contempt, till they found it to their advantage to obtain an extension.

Hon. Mr. WATSON—I am in entire sympathy with the hon. gentleman's remarks as to not protecting the patentee if he does not manufacture. I have no brief in connection with this Bill; but on looking over it I observe that it is more in connection with the title of the Bill than the patent. I think the provision in the last clause to which the hon. gentleman from Belleville (Hon. Sir Mackenzie Bowell) takes exception is all right, because it provides that any person who has started manufacture after the expiry of the patent shall have the right to proceed, but any person who attempted to manufacture before the expiry of the patent shall not have that right. It seems to me that is perfectly clear. A reference was made to another Bill which stood in my name. As far as that Bill is concerned, the people who are manufacturing are simply applying for an extension of the patent They have been manufacturing large grain cleaners in Winnipeg. They are a bona fide concern, but owing to neglect on the part of the solicitors, the extension was not applied for within the proper time.

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

SECOND READINGS.

Bill (90) An Act respecting the Esquimalt and Nanaimo Railway Company.—Hon. Mr. Bostock.

Bill (91) An Act respecting the Kootenay Central Railway Company.—Hon. Mr. Bostock.

Bill (92) An Act respecting the Manitoba and North Western Railway Company of Canada.—Hon. Mr. Watson.

Bill (93) An Act respecting the United Gold Fields of British Columbia, Limited.—Hon. Mr. De Veber.

Bill (Z) An Act for the relief of Ethel May Stewart.—Hon. Mr. Roche.

POST OFFICE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 105) An Act to amend the Post Office Act. He said: This Bill proposes a slight departure from the present law, so far as the exercise of the Civil Service Commission is concerned. The Civil Service Commission is somewhat inflexible as to the appointment of mail clerks, and it is utterly impossible for the Post Office Department to secure that class of employees necessary to do the cheaper class of work, because provision is only made for the employment of temporary mail clerks at $500 a year. At the present time, the Postmaster General has been compelled to employ several men as labourers, where it is now proposed that power should be given to the Postmaster General to temporarily appoint railway mail clerks paying them the limited salary mentioned in the Bill, with a view to their afterwards passing a preliminary examination, and then subsequent to that a qualifying examination, and in that way rendering somewhat more flexible the examinations required by the Civil Service Act.

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

OTTAWA, BROCKVILLE AND ST. LAWRENCE RAILWAY COMPANY.

SECOND READING.

Hon. Mr. DERBYSHIRE moved the second reading of Bill (A 2), An Act respecting the Ottawa, Brockville and St. Lawrence Railway Company.

Hon. Mr. WILSON—This Bill was passed twelve years ago and virtually nothing has been done. No explanation has been given us. There is the further question whether parliament has the right to grant the renewal. The company was incorporated in 1900, and came back here in 1902, for an extension of time. I do not know whether

they accomplished anything or not. In 1904, they were before parliament asking for renewal of the charter. Again in 1906, they felt it was necessary to renew the charter so as to permit them to proceed with the work. In 1908, they again made their bow to parliament, and my hon. friend has not stated whether that was the last bow they intended to make or not. However, they were back again in 1910. I should like to have my hon. friend explain why they have accomplished nothing and why all these renewals? We have not heard where the road is to start from or where it is to end. It is supposed to run from Ottawa to Brockville, and we know that Brockville is a very important point. We had an election in that direction which attracted a great deal of attention, and I think my hon. friend from Brockville (Hon. Mr. Derbyshire) must have grown several inches taller—and he used to be tall enough, as hon. gentlemen well know—since his friend met with the success in Renfrew. Hon. members may understand the manner in which railway Bills are put through this House; but I am not quick enough to apprehend the details. Explanations should be given on the second reading, and we should have every information as to the location of this road. The road is to run to the St. Lawrence, but the St. Lawrence is a very long stream and we should know the exact point.

Hon. Mr. DERBYSHIRE—We hope to run up on the present Grand Trunk track three and a half miles to Graham's Crossing.

Hon. Mr. WILSON — Hope deferred maketh the heart sick.

Hon. Mr. DERBYSHIRE—We diverge from there to Manotick, where we have a first-class water-power and grist-mill today, which could be greatly enlarged, and we would have other manufacturing establishments when the water-power was developed. Mr. Dickinson, an ex-M.P. for Carleton county, has a mill there now. It is a first-class water-power about twelve miles from Ottawa.

Hon. Mr. WILSON.

Rt. Hon. Sir MACKENZIE BOWELL—On the Rideau?

Hon. Mr. DERBYSHIRE—Yes, but he has to cart his flour from the mill five and a-half miles to the present Canadian Pacific railway station, which is the only station they have; but with the road running by their door, it would give them convenient rail as well as water transportation for their flour. We go from there to North Gower, in a very rich town, in the heart of Carleton county. More money is deposited in the banks to the credit of the people of North Gower than to the credit of the people of any town of that size in Canada.

I know it is a rich agricultural section all around it. We go further, to Burritt's Rapids, a first-class town, and on the west side of it is Merrickville. From there to Agusta; and it would be easier to go from here to Montreal than to North Augusta with no facilities to get there. North Augusta is a good town, has three stores, a blacksmith shop and a church. From the first day that this road is operated it will pay expenses, because it goes through a rich part of the country, where there is traffic requiring facilities to handle it in the best possible way. There is no section of the country that requires a road more than this.

Hon. Mr. BEIQUE—Why was not this road built ten years ago?

Hon. Mr. DERBYSHIRE—Because we did not have the man with the money to build it.

Hon. Sir MACKENZIE BOWELL—Have you the man now?

Hon. Mr. DERBYSHIRE—We are not sure, but we think we have.

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

BILL INTRODUCED.

Bill (K 2) an Act for the relief of Isobel Isaac.—Hon. Mr. Talbot.

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

THE SENATE.

WEDNESDAY, February 28, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (L 2) An Act respecting the Mexican Interurban Electric Traction Company, Limited, and to change its name to Mexican Interurban Electric Railway Company, Limited.—Hon. Mr. McHugh.

Bill (M 2) An Act respecting the Saskatchewan Central Railway Company.—Hon. Mr. Bostock.

RATES ON THE INTERCOLONIAL RAILWAY.

MOTION.

Hon. Mr. CASGRAIN moved:

That in the opinion of this House the rates on the Intercolonial railway should, like those of other railways, be subject to the control of the Railway Board.

He said: This motion may carry us back to the time when the Railway Commission was established, eight years ago, and if there is one thing for which the former government should be commended, it is for creating that board, which has certainly given general satisfaction throughout the length and breadth of the land. There is no doubt the work of the Commission has been well done. The public has been satisfied, and although the great railway companies had very strong apprehensions at first, and regarded with a jealous eye the fact that their operations would be under the control of men altogether outside of their own authority, they recognize to-day that the Railway Commission is doing good work, and that its jurisdiction should extend throughout the whole of Canada, and should include all the railways in the Dominion. The late government should be commended on account of the very good men who have been appointed. The first appointee, the father of the Railway Board, Hon. A. G. Blair, was certainly a man of marked ability, and was recognized as an authority on railway matters. He was succeeded by one of no less ability, the late Judge Killam, who was really the gentleman who put the system into operation. It may be within the recollection of hon. gentlemen of this House that the Hon. Mr. Blair was not chairman of the Commission very long, and Judge Killam, who followed him, managed, with infinite tact, to conciliate the various interests and to bring the Railway Board into such working order as to give satisfaction to the public generally. When Judge Killam was removed by death, he was succeeded by Judge Mabee, who is also doing remarkably good work, and who is well assisted by the other commissioners. The commissioners are also assisted by an able staff, not merely in engineering, but all other departments. The engineering department has nothing to do with the rates: the physical condition of the road has been carefully looked after. The chief engineer of the Railway Board, Mr. G. A. Mountain, is a very capable engineer, a practical man, and all the reports which he has made to the board, as far as I know, have not only been approved of by the board, but also have been found just and equitable to the various companies. It is a very important matter to decide, the final location of railways, the crossing of one railway by another, the crossing of highways and so on. All this has been decided by the engineering staff of the Railway Board. However, that does not appertain to the subject we are dealing with to-day. What we are after now is to see whether it would not be advisable, since it has been proven that the Railway Board has given satisfaction to the rest of the country, to put the rates on the Intercolonial railway under the control of the Board of Railway Commissioners for Canada.

Hon. Mr. DAVID—Of all federal railways.

Hon. Mr. CASGRAIN—Yes. The Intercolonial railway has been a sort of drag on the government of this country for very many years.

Hon. Mr. POWER—It is not now.

Hon. Mr. CASGRAIN—I admit that, owing to the new board of management, composed of four railway men who are supposed to be somewhat relieved from poli-

tical pressure, the road has been doing a little better; but too much should not be expected of that road. We fully recognize that there is not a very large population in Quebec for that part of the road from Montreal to Campbellton, covering some 475 miles. After leaving Montreal, the first little town that you come to is St. Hyacinthe. That is served both by the Grand Trunk railway and Canadian Pacific railway. The government have some running right arrangement with the Grand Trunk railway, and I think the Grand Trunk railway manages to get a fair share, if not the lion's share, of the business that goes to St. Hyacinthe. It is only a very short distance from St. Hyacinthe till we come to the Intercolonial railway proper, and the only town of any consequence on that section is Drummondville, and then you have another stretch of 70 or 80 miles without a town until you reach Levis. Not much freight business can possibly be done at Levis for the city of Quebec, because there are no facilities, and will be none for crossing the river until the bridge is built or a railway ferry is established. After you leave Quebec, the next town of any consequence is Montmagny, and the President of the House knows very well that it is not a large business centre, with traffic to keep up a railway.

His honour the Speaker of this House knows the place well, and he knows that neither east nor west of Montmagny is there any settlement of consequence until you get down to Riviere du Loup, 120 miles below Quebec, where the Intercolonial railway shops are located and there you have a town of 7,000 or 8,000. After that, you have to go 60 miles further before you have a town of four or five thousand, Rimouski, and after Rimouski you enter the valley of the Matapedia. There the railway has been doing a thriving business, because it has no competition, either by water or from any railway, and in the valley of the Matapedia some very prosperous villages are found, such as Amqui, Cedar Hall, &c. The valley of the Matapedia is being settled, a good population taking up land there and finding employment in the lumber industry. Then you arrive at Matapedia where there is nothing but a fishing club, and after that Campbellton. From Campbellton eastward hon. gentlemen from the eastern provinces know the conditions better than I do. If that is a paying end, that paying end is not sufficient to show any dividends, or any return for the large outlay the country has made on the Intercolonial railway. I believe that it would be an excellent thing, if possible, to have the rates on the Intercolonial railway regulated by the Railway Commission, and taken away from the political field entirely. I do not want to find fault with this government, or the government that preceded it, or the one before that; but as matters are now, we know that the gentlemen who are administering the road are, of necessity, influenced to a certain extent by their friends, and when an industry such as a saw mill, manufacturing shingles or lumber, is being established along the road, the first thing is to get some favourable rate from the Intercolonial railway by threatening to ship by water, or not ship at all, unless the rates are made very low. In that way some of them have been successful in getting the benefit of low rates that others cannot secure. I do not want to mention any specific cases, because should I name one, perhaps those people would suffer for having complained against the railway management. I do not want to bring up anything of a controversial nature; but I think there is no body of men better qualified to judge, administer, and decide the rates on that railway than the Railway Board as they do on other railways, giving satisfaction to the public and to the shippers. It would not be taking a leap in the dark. This is not a new thing. Since I put this motion before the Senate, I have ascertained that the Board of Trade of Montreal were memorializing, or petitioning the government on this very same subject as far back as 1908, I believe.

Hon. Mr. THOMPSON—When was the last memorial?

Hon. Mr. CASGRAIN—I think on the 20th November, 1911. It was addressed to the Hon. Frank Cochrane, Minister of Railways and Canals in the present administration. Before the Railway Board was es-

tablished, the work was done in a sort of way by the Railway Committee of the Privy Council, whose members did not have the time, or—I do not suppose they will be offended by the statement—the necessary knowledge to fix rates and adjust other matters; but the men who compose the Railway Board to-day have had eight years' experience and are perfectly conversant with railway matters and able to do justice to all concerned. I have a report of the Council of the Montreal Board of Trade, dated 1909, which reads as follows:

The Intercolonial railway should be under the Railway Commission. The desirability of the Intercolonial railway being placed, as are other railways, under the control of the Railway Commission led your council to petition as follows.

You will see that this introduction, although I had not seen it before to-day, is almost exactly in the same words as my motion. This memorial is addressed to the Hon. Geo. P. Graham, a name which is rather well known just now in the country:

The memorial of the council of the Montreal Board of Trade respectfully submits:

That practically all railways in Canada, excepting the Intercolonial railway, are subject to the conditions of the Railway Act, chapter 37, R. S. C., 1906, in which provision is made that railroads governed by the Act must not discriminate between persons and localities or make unjust or unreasonable rates, &c., and this provision has resulted most beneficially to the shipping public in general.

That your memorialists are informed that the Intercolonial railway discriminates in favour of maritime provinces shippers to the great detriment of Montreal shippers, and your memorialists consider that the best interests of all shippers would be more properly served if the Intercolonial railway were placed under the jurisdiction of the Railway Commission, which would result in rates being maintained on an equitable basis all over that railway.

That the Intercolonial has a great number of private special rates to which the public have no access, and that were the Intercolonial railway governed by the Railway Act, these rates which have to be filed with the Railway Commission and posted at each Intercolonial railway office for the information of the public and thus shippers would know when they were being discriminated against.

That the Intercolonial railway is in competition with the Canadian Pacific railway to points such as St. John, N.B., and it seems to be an anomaly that the Canadian Pacific railway should be governed by the board of Railway Commissioners and the Intercolonial be free from such control.

That your memorialists also believe that, were the Intercolonial railway governed by the Railway Act, the minister, and the railway officials would be relieved from the political pressure for preferential treatment as to rates, &c., to which they are now liable.

Wherefore your memorialists respectfully urge upon your consideration the great desirability of taking the necessary steps to place the Intercolonial railway under the jurisdiction of the Board of Railway Commissioners.

Signed on behalf of the Council of the Montreal Board of Trade.

FARQUHAR ROBERTSON,
President.
GEO. HADRILL,
Secretary.

Montreal, 27th February, 1909.

The council, reporting to the board add:

The minister, in acknowledging this petition promised his careful consideration to its prayer and your Council hopes that it may presently be granted.

You will see there that it is asserted in a memorial presented to the Minister of Railways of the late government, that they were discriminating in freight rates. The fact has not been denied and the complaint is before parliament to-day. If the Senate, by adopting this motion, should express the opinion that it would be advisable, in order to have uniformity of rates on the Intercolonial railway, that the rates should be under the control of the Railway Board, I do not know what effect it would have upon the government of the present day. However, I believe with many hon. gentlemen in this House, that the opinion of the Senate would carry considerable weight, and would encourage shippers throughout the country. It must be understood that the rate between Toronto and Halifax is divided proportionately, according to the mileage, over each road that carries the freight. Starting from Toronto, the mileage to Montreal is 330 miles and that is carried by the Grand Trunk railway. It is 834 miles from Montreal to Halifax and the Intercolonial railway would be paid for the 834 miles. The rate is divided, according to the mileage, on the eastbound traffic; but on the westbound traffic the shippers cannot obtain a rate. The Intercolonial railway fixes a certain rate and when it is turned over to the Grand Trunk at Montreal they fix their own rate.

Hon. Mr. McSWEENEY—Are not the rates identically the same on the Intercolonial railway and the Canadian Pacific

railway for westbound and eastbound freight ?

Hon. Mr. CASGRAIN—I will come to that in a moment, and I shall show the hon. gentleman that the rates eastbound on first-class matter are about $1.20 more per ton.

Hon. Mr. DOMVILLE—That is not the question the hon. gentleman was asked.

Hon. Mr. CASGRAIN—It is $1 20 a ton or six cents a hundred. The report of 1910 contains the following:

> Your committee reported last year that it had in hand with the Intercolonial railway board of management the question of rates on general merchandise from Montreal to stations on the Intercolonial railway. The situation still remains unchanged, the rates from Montreal to points on the Intercolonial railway being on a basis of 6 cents per hundred pounds first class, higher than the rates from the Intercolonial railway stations to Montreal as shown by the following instances.

Then there is a table giving the different places, St. John, Halifax, Fredericton, &c.

Hon. Mr. POWER—What are the rates from Montreal to St. John?

Hon. Mr. CASGRAIN—Fifty-four cents by the Intercolonial railway, and from St. John to Montreal forty-eight cents.

Hon. Mr. POWER—But by the Canadian Pacific railway?

Hon. Mr. CASGRAIN—I have not the Canadian Pacific railway rates here.

Hon. Mr. DOMVILLE—My hon. friend must understand that there is an arrangement between these railways that, whether the rates are high or low, they will charge the same. When you are speaking about east bound and west bound freights, it is hardly a fair parallel of reasoning.

Hon. Mr. CASGRAIN—In the report of the Board of Trade of Montreal for 1910, we find again the statement that the Intercolonial railway should be under the control of the Railway Commission. It reads:

> The council of 1909, under date of 27th February memorialized the Minister of Railways and Canals, urging upon his consideration the great desirability of taking the necessary steps to place the Intercolonial railway under the jurisdiction of the Board of Railway Commissioners, which has control of all other railways in Canada. The Hon. Mr. Graham promised his careful consideration to this memorial, but, as no action in the direction desired has been taken, your council wrote to the minister on the 28th October, 1910, expressing its hope that the results of his careful consideration of the memorial sent him in February, 1909, promised in his letter of the 1st March, 1909, might have disposed him to favour his recommendations. It would appear that nothing but political considerations prevented the minister from subjecting this railway to the conditions of the Railway Act, in which provision is made that railroads governed by the Act must not discriminate between persons or localities, or make unjust or unreasonable rates. It seems obvious that the belief expressed in the council's memorial that, were the Intercolonial railway governed by the Railway Act, the minister and the railway officials would be relieved from political pressure for preferential treatment as to rates is correct, and the council is surprised that the government should continue to hold the anomalous position of having constituted a Railway Commission to secure just treatment for shippers, while it declines to make its own railroad subject to that commission.

I had before me a report of the Board of Trade for 1911, which I have mislaid. In their memorial under date 20th November, 1911, addressed to the Hon. Frank Cochrane, Minister of Railways, they repeat what was sent to the Hon. Mr. Graham, and also add that the Intercolonial railway has, if anything, increased the preference shown certain localities and to certain persons. The Intercolonial railway has been, in the past, very much discussed both in parliament and the press, and every one has tried to devise means to place the road on a paying basis. The Board of Railway Commissioners seem to have succeeded in giving justice to the shippers without antagonizing the railways—giving the railways diving rates, &c. Of course we all know that material wealth, in its ultimate analysis, is but the transformation of the raw material of nature into useful commodities, and the transportation of these same commodities from the place they are manufactured to the place they are wanted. This transportation must be fair and just to every one. As I said before, I do not want to refer to specific instances; but when special points are discriminated against, and when a special rate is made for a particular locality, the railway interest may say that there is no discrimination. For instance, there may be at that particular place only one person benefiting by the rate. If in a cer-

tain place there is a shingle mill located, and only one man in that district manufacturing shingles, they say, 'any one else making shingles at that place can obtain the same rates.' But the fact remains that there is only one person at that place enjoying the special rate. This is a question of very great importance, not only to the government and the railway management, but also the public generally, and if this House would take into consideration the advisability of placing these rates under the control of the Railway Board, by voting in favour of this motion, it would not only do justice to itself, but render a public service to this country.

Hon. Mr. DOMVILLE—I have heard the remarks of my hon. friend, and really I do not understand what he is driving at. We in New Brunswick and Nova Scotia are not kicking about what the railways are doing in Ontario; they are kicking about what we are doing. I am willing to agree with him that a very large question could be opened up. There is nothing personal or political in this for or against either government. The only trouble with the Intercolonial railway is that there are gentlemen managing it who think they own the railway, and can do what they like with it. That is the whole point. I do not know whether we can remedy that by putting the road under the Railway Commission; we might or might not. I will give, in illustration, my own experience. I live on that line of railway, and they charge me $2 a cord to haul wood thirty miles, and I have absolutely no redress. There are men on that management whom I respect very highly, and I think they are doing their duty, or trying to, but there are others who think they own the whole road, and from such men one can have no redress. In my absence, through illness, I asked a friend to put a question about the earnings of the railway at Rothesay, quite a considerable place. They throw our mail bags off the train into the snow. The other day one was cut open, the letters were scattered, and we are getting them piecemeal—damaged and wet. We are not going to blame the Conservative government for that. I do not want to quarrel with them; there is no object in it just now; we must give them fair play. The point is that the government must bring to task those men who hold up everybody down there. If you appeal to the Postmaster General, or to the local postmaster, they seem to be afraid of the Intercolonial, and the Intercolonial officer says: 'I am boss here, I will do what I like.' That man was probably appointed to office by political influence and thinks he can do just what he pleases, but that is not the fault of the government or the commission; it is the fault of the autocrat who thinks he owns the railway. That road has been simply a football for politicians for the last thirty years; no one government has been responsible for that. As to the question of through freight rates, railway men must determine them. As to what my hon. friend has said about furthering trade and benefiting the commerce of the country, Ontario gets the benefit of it. We need the flour from Ontario and have to take it and pay the price no matter what the freight rate is; but parliament is not going to say arbitrarily that the railways must take empty cars back at the same rate.

My hon. friend (Mr. Casgrain) has made a very elaborate speech—I did not hear all of it—but I agree with him that it is necessary to call the attention of the government to the advisability of looking into the management of the Intercolonial railway. I am not going to say whether it should go under the Board of Railway Commissioners or not. The government should notify the present management of the railway that they do not own the country. They will not stop their trains at Rothesay. I asked Mr. Brady why, and he informed me that it was too unimportant a station. Mr. Brady has his private car and takes his children and his cook to Shediac, but he will not stop the mail train at Rothesay. Mr. Brady is important.

Hon. Mr. TAYLOR—Hear, hear.

Hon. Mr. DOMVILLE—My hon. friend says 'hear, hear.' I do not like his politics, but we are good friends. It is matters such as I am complaining of that my hon. friend (Mr. Casgrain) should call attention to, and ask the government to investigate.

No doubt they would do so, because they are trying to do what is right. I give them credit for wanting to find out where the loose screw is on the Intercolonial railway. If my hon. friend (Mr. Casgrain) would withdraw his motion and recommend the government to look into the matter he would accomplish some good. The government are responsible; and now that their attention has been called to the way things are being run in the maritime provinces, I shall hold them responsible if they fail to redress our greivances. In the shipment of wood, the Intercolonial railway is charging $2 a cord for a haul of 30 miles. Is that the way to encourage commerce? Every citizen of Nova Scotia and New Brunswick is against the way that road is being handled. It should be a good asset to the government, but it is not yielding what it should.

Hon. Mr. CLORAN—The point the hon. gentleman from De Lanaudière made is: What right has the Intercolonial railway to make special rates for particular people or localities? I think the motion is well worthy of consideration, irrespective of the remarks of the hon. gentleman from Halifax (Hon. Mr. Power) and Rothesay (Hon. Mr. Domville). We do not want to have the rates raised on traffic from east to west; but we want to see fair play and equal justice, especially when we consider that the provinces of Quebec and Ontario furnished the money to construct the Intercolonial railway. If the Board of Management cannot give fair play to the commercial public of the west, then the sooner the government looks into the matter the better.

Hon. Mr. TAYLOR—What are the Canadian Pacific railway rates on the same commodity from St. John to Montreal?

Hon. Mr. CLORAN—I cannot answer that question, and it is not necessary to my point. Is it true that you can ship a barrel of potatoes from Halifax to Montreal for 25 cents, and if I ship a barrel from Montreal to Halifax I have to pay 40 cents?

Hon. Mr. TAYLOR—I do not know anything about that, but I do know that I am a large shipper from Ontario over the Grand Trunk railway and the Intercolonial railway. I can go into the Grand Trunk station in Ontario and ask for a rate to any point I desire on the Intercolonial railway. They give me a rate and I prepay the charges. I think the House should not listen to my hon. friend's proposition to place the rates on the Intercolonial under the Railway Commission, because the people own this railway. The government manage it. Why should the government delegate to the commission their own powers to regulate freight rates?

Hon. Mr. DOMVILLE—On their own property.

Hon. Mr. CLORAN—They do it in other matters.

Hon. Mr. TAYLOR—If we put it in the hands of the Railway Commission, they have to level up the rates with the Canadian Pacific railway, and any other railway down there, and these roads are allowed by law to have a certain earning power on capital account before they can be made to reduce their rates. The nation owns this road and can make whatever arrangement it likes, and the other roads will have no power to compete; but if we put the road in the hands of the Commission this and the other roads are all on the one level. If the committee of management now in control are not performing their duty properly, the government should appoint others who will; but we have no business delegating to the Railway Commission the regulation of the rates on our own road. We should retain that control in our own hands.

Hon. Mr. CLORAN—The hon. gentleman has not answered my question. Is a Montreal shipper obliged to pay more freight on identically the same quantity of goods shipped first class from Montreal to St. John than the St. John shipper pays for similar goods shipped in the other direction?

Hon. Mr. TAYLOR—The Canadian Pacific railway rates are regulated by the Railway Commission, and if their rates are more than $1.10, the commission would have to raise the Intercolonial rates to the same figure.

Hon. Mr. CASGRAIN—Why should they raise them?

Hon. Mr. TAYLOR—My hon. friend says they are identically the same on the same commodity from Montreal. If that is so that rate is fixed by the Railway Commission.

Hon. Mr. CASGRAIN—My hon. friend from Leeds (Hon. Mr. Taylor) says he is a large shipper. Is he aware that a barrel of flour shipped from Montreal to Campbellton, less than five miles, pays 35 cents. If the same barrel of flour is carried on the Intercolonial railway to Halifax, nearly four hundred miles more, it only pays 30 cents.

Hon. Mr. POWER—I agree with the hon. gentleman from Rothesay, not in every detail, but substantially. The position of the Intercolonial railway is very different from that of the other roads. The Intercolonial railway, at the present time, is administered by a Railway Board constituted by the government of Canada. The members of the Railway Board are,—the Deputy Minister of Railways, who is here at Ottawa, Mr. Pottinger, who was formerly the superintendent of the Intercolonial railway, Mr. Brady, a railway man, who has been all his life in the railway business and who was brought in from the outside, and Mr. Tiffin, who has been on the Intercolonial railway as traffic manager for many years; and recently a gentleman has been appointed to look after the legal business of the commission. I think one can see that such a commission is a good instrument to govern the Intercolonial railway, and that it would not be seeming or fit that that government commission should be put under the control of the Railway Commission. Both commissions are subordinate to the Minister of Railways, and a pretty clear case would have to be made out before the government would undertake to make the Intercolonial Railway Commission subordinate to the general Railway Board. Application to the Railway Board has generally been made with a view to reducing the rates charged by an incorporated railway company. The truth is that the rates on the Intercolonial Railway are, as a rule, very considerably lower than the rates on the company railways, and I do not see that the people's interests are going to be very much benefited by the introduction of the authority of the Railway Board. The natural tendency of the Railway Board would be to level the rates on the Intercolonial railway up to the rates on the company roads. I do not think any of the people in the lower provinces, or even in the province of Quebec, are desirous that that should happen.

Hon. Mr. CASGRAIN—People do not go to the Railway Board to have the rates raised; they go to the Railway Board for the purpose of having them lowered.

Hon. Mr. POWER—I think the Railway Board would naturally be disposed to say if they found the people of the lower provinces getting lower railway rates than the people of Ontario, 'This is an unfair condition of things, and we must raise the rates in the lower provinces.'

Hon. Mr. CASGRAIN—Would that be wrong?

Hon. Mr. POWER—Yes, I think it would be wrong under the circumstances. The Board of Trade in Montreal apparently lay a good deal of stress on the fact that the rates going eastward are higher than those for freight coming west. The truth is that until very recently the principal business of the Intercolonial railway in the freight department was carrying goods from Montreal to the lower provinces; and the cars which took these goods down came back empty. I assume that if the rates coming west are a little lower than those going east, that reduction was made so that the cars coming west would have something to carry. Even though the rates are not as high as those going east, it is better that the cars should come back loaded than that they should come back empty. I fancy that is the motive that influenced the governing body of the Intercolonial railway in arranging the rates as they did. This has to be borne in mind, that even when there was no competition, the government did not charge high rates on the Intercolonial railway, and of course they do not raise them now when there is competition.

Just one word with respect to this commission, and that is one point as to which

I cannot agree with my hon. friend from Rothesay. The hon. gentleman said he did not think there was any member of this House from the lower provinces who could approve of the present constitution of the governing board of the Intercolonial railway.

Hon. Mr. DOMVILLE—I did not mean to put it that way at all. What I wanted to say was that I thought it was a matter for the government of the day to arrange, and that we in the maritime provinces looked upon that railway as a public utility to be run in our interest as an offset to the Northwest having come into the confederation. The surplus of the Intercolonial railway this year, as reported in the press, was seven hundred thousand dollars, and I thought it was but fair that the government of the day should look into the matter of rates. I was not in any way stating the opinion of the whole province. It is only my own individual opinion.

Hon. Mr. POWER—I am not aware that I misrepresented my hon. friend very much. I quite agree in the sentiment he has just expressed, and lest some hon. gentlemen who come from other parts of the country might think that the lower provinces are being unduly favoured, I wish to call attention to the fact that there are other public works which have cost about as much as the Intercolonial railway, located in Quebec and Ontario, where goods are carried for nothing. There are no tolls on the canals, and I think the gentlemen from the western provinces who are disposed to find fault with the government for carrying freight at comparatively low rates on the Intercolonial railway, should bear in mind that the same government are allowing goods to pass through public works in their own section free.

Hon. Mr. DOMVILLE—I did not mean to interrupt the hon. gentleman

Hon. Mr. POWER—I am not finding any fault with the hon. gentleman from Rothesay. We are here to criticise. The appointment of this Railway Board for the Intercolonial railway was the result of a strong desire to take the road out of politics, and that effort has been almost completely successful. The result is that where formerly we had deficits year after year, during the past four or five years we have had surpluses.

Rt. Hon. Sir RICHARD CARTWRIGHT—Having spent forty millions on which no interest is being paid.

Hon. Mr. POWER—That is very true. I do not think any interest is being paid on the cost of the canals.

Rt. Hon. Sir RICHARD CARTWRIGHT—The Intercolonial railway was paid for out of our pockets.

Hon. Mr. DOMVILLE—We paid some of it.

Hon. Mr. POWER—I think the country is paying it, not Ontario.

Rt. Hon. Sir RICHARD CARTWRIGHT—No, Ontario and West Quebec paid it in those days.

Hon. Mr. POWER—I am sorry the right hon. the leader of the opposition still retains just a little of that old feeling that I know prevailed in Ontario about 30 odd years ago, that the lower provinces were to a certain extent calves sucking the Ontario milch cow. I think the lower provinces contribute a fair amount to the revenue of this country. The Railway Board has, to my mind, been remarkably successful. With respect to the fact that there are not as many trains stopping at Rothesay now as there were some time ago, that simply corresponds with the fact that as many trains do not stop at Bedford, within ten miles of Halifax.

Hon. Mr. DOMVILLE—My hon. friend must not put into my mouth what I did not say. I said Halifax is an important place, and St. John is an important place. Rothesay is nine miles out of St. John, and the trains always stop there, but not long enough to take mails or to let people off. I have the interest of the maritime provinces at heart, and I contend that we in Nova Scotia and New Brunswick, if we did not pay as much into the treasury as my right hon. friend says Ontario did, gave an equivalent in what we have paid for their grain.

Hon. Mr. POWER—If my hon. friend had only allowed me to go on instead of

interrupting me in the way he did, he would have seen that I was not undertaking to set St. John against Halifax or *vice versa*. What I was trying to say was that certain through trains which had stopped until very recently at Bedford, ten miles from Halifax—had ceased to stop there, just in the same way as the trains that had previously stopped at Rothesay had ceased to stop there. The reasons given for that were that it did not pay, and that a private company operating the road would not have had its through trains stopped there under the circumstances. Whether that is a wise policy or not, I do not know; but there is this fact that, the road, taken altogether, has been well managed and the financial returns from the traffic have been better during the last two years than they ever were before. Having agreed with my friend from Rothesay as to all the substantial points, I most cordially agree with him as to the conclusion. The hon. gentleman from De Lanaudière should not on such a short notice, ask the House to give a decided expression of opinion on a matter so important as this. The administration of the Intercolonial railway is peculiarly a matter for the government, and one member of the government and the friends of the government have heard what the hon. gentleman has to say on behalf of his view, and I think that he ought to be satisfied now that the information has been conveyed to the government, and that he should withdraw his motion.

Hon. Mr. CLORAN—All this discussion does not elucidate the point made by the senator from De Lanaudière. He does not criticise the management of the Intercolonial railway one way or the other so far as I understood him. He did not complain that trains had not been allowed to stop at certain places in New Brunswick or Nova Scotia. He put one point before the House, and a very plain point it was, and all the discussion up to the present moment has evaded this point: Why should a Montreal shipper pay $1.20 or $1.15 to ship a hundred pounds of freight to St. John, when a man in a similar business in St. John can ship the same amount of freight to Montreal for a dollar? There is the whole point.

Hon. Mr. WATSON—One is uphill, and the other is down.

Hon. Mr. CLORAN—No, that is not the explanation. It is not good for the shipper. The hon. gentleman from De Lanaudière is not speaking for himself, but for the merchants of the city of Montreal, and of the west. We are not prepared to have the Railway Commission or the Railway Board raise the rate on the poor bluenoses; we would like to have them get as cheap rates as possible; but when they get them we want the same. There is the point that is contained in the hon. gentleman's motion, if I understand correctly. We are told, 'But the freight from the west going from the west to St. John and Halifax is so extensive and we have nothing to send back, and if we have something it goes into empties, and it is better to fill the empties than have them go back empty.' Well, that is twaddle.

Hon. Mr. DOMVILLE—You have to take into consideration the water carriage. Freight can be carried down to Portland and shipped from there by water. That is not a fair argument to use. Our friends in Ontario are not paying the freight; we in the maritime provinces are paying it. If we can get freight carried at a lower rate, so much the better. I think that is an attack on the government.

Hon. Mr. BEIQUE—I have always felt that there may be good reasons why the Intercolonial railway should be placed under the control of the Railway Commission, so far as rates are concerned, and for this reason: the rates should be uniform, and in the public interest. It is an injustice if a railway, whether owned by the government, or a private individual, or a company, can give a preference to one shipper that is not given to another. If it is necessary, in order to secure uniformity in rates, to entrust the matter to a commission such as the Railway Board, it seems to be logical that the government itself should accept the regulation of that Railway Board. It is the only way to ensure uniformity and prevent differential rates being given. It seems to me that the motion is premature. This House—I speak for myself anyway—is not sufficiently in-

formed as to the practice which prevails on the Intercolonial railway as compared with other railways, and I would suggest to my hon. friend not to press his motion at the present juncture. He might ask for information such as this, for instance: How do the rates on the Intercolonial compare with the rates on the Grand Trunk railway and the Canadian Pacific railway? Also, whether the rates are uniform, and, if not, to what extent have differential rates been granted, say during the last twelve months? If we had a return giving such information as that, we would be in a better position to express an opinion on the matter which is now before the House.

Hon. Mr. DANDURAND—When we voted to establish the Railway Commission, I then expressed the opinion that the Intercolonial railway should be under the jurisdiction of that board. I could see no good reason—and none was given to my satisfaction at the time—why the Intercolonial railway, though a government property, should not be managed under the same laws that govern private corporations. The reason given by the hon. member from Halifax, that a board of management had been created which should not be subserviant to another commission, since it is appointed by the government, does not satisfy me. The board of management simply plays the role with the Intercolonial railway that any board of management plays with large railway corporations. We have declared that a railway commission should be appointed in the public interest for the supervision of the railways in general, and no satisfactory reason has been given to me why the Intercolonial railway should not be under that control as well. I am disposed to favour the motion of my hon. friend as far as it goes. I would likewise support a motion in favour of putting the whole administration and control of the Intercolonial railway just as the other railways, under the Railway Board. My hon. friend from Rothesay complains, though he comes from New Brunswick, of the administration of the present Board of Management and says that there is no recourse from their decisions. Should he not join with those who favour putting the Intercolonial railway under the Railway Commission, because then he could have all the recourse he would want, and would have a uniform law, and know beforehand that it would apply to this road, as well as to other roads.

Hon. Mr. DOMVILLE—That was not the point I was making. I was making the point that the government having the road were responsible, and that we here and elsewhere will hold them responsible for its administration.

Hon. Mr. ELLIS—I was very much of the opinion expressed by my hon. friend opposite when the legislation came down. It did not seem to be the right thing in a country that seeks to be a unit, to provide legislation for the whole country and then exclude the government from its operation. If my hon. friend who brought this question before the House had argued on general principles rather than the details which he had entered into, he would have made a better impression on the House as to the justice of the cause he espouses, because it seemed to me the effect of that mode of presenting the question was we got into a dispute about comparatively trifling things, on limited lines of communication until we got down to my hon. friend's wood-pile at Rothesay. I do not think these are sufficient grounds on which to discuss a great question like this. The government should put itself in the position of a company railway owner, and allow all these matters to be taken up by the Railway Commission. It is not necessary to enter into the different questions which have been brought up. There will always be a dispute among those who employ railways as to whether they are getting a sufficient service for the money they pay. I do not think we can afford to discuss the question on that principle, and on that alone here.

Hon. Mr. CHOQUETTE moved the adjournment of the debate. He said: I have unfortunately been away from the House for some days. I should like to inquire what has been done by the Board of Trade at Quebec? I think it passed a resolution to the same effect as the one which has been read to the House.

Hon. Mr. DOMVILLE—If this is allowed to stand, those who may have spoken should be allowed to speak again, if they get further information before the subject is taken up again. I beg to move the adjournment of the debate.

The SPEAKER—I cannot put the motion for two good reasons, first that the hon. gentleman has already spoken, and second because the motion which is under discussion has not been put to the House.

The motion was allowed to stand until Wednesday next.

INTERCOLONIAL RAILWAY PENSIONS.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

The number of men who received pensions under the Provident Fund of the Intercolonial railway of Canada for the year ending January 31, 1911 and 1912?

Also the amount paid out for pensions under the said Provident Fund Act during the same period?

Also, the amount contributed by the employees, and the amount contributed by the government for the above date?

And also, the amount to the credit of the said fund on hand, with the names, occupation and present residence of those in receipt of pensions under the said Act for the same period?

Hon. Mr. LOUGHEED. The following answer is furnished by the department:

1. The number of persons who were paid retiring allowances from the provident fund in the year ended January 31, 1911, was 412. The number of persons who were paid retiring allowances from the provident fund in the year ended January 31, 1912, was 411.

2. The amount paid for retiring allowances from the provident fund in the year ended January 31, 1911, was $122,727.17. The amount paid for retiring allowances from the provident fund in the year ended January 31, 1912, was $124,165.29.

3. The amount contributed by the employees to the provident fund, in the year ended January 31, 1911, was $69,818.94. The amount contributed by the employees to the provident fund, in the year ended January 31, 1912, was $80,416.84. The amount contributed by the railways to the provident fund in the year ended January 31, 1911, was $69,818.94. The amount contributed by the railways to the provident fund in the year ended January 31, 1912, was $80,416.84.

4. The amount to the credit of the provident fund, on January 31, 1911, was $251,332.92. The amount to the credit of the provident fund, on January 31, 1912, was $283,737.79.

NOTE.—In statement sent to Honourable Mr. McSweeney, on or about Febraury 12, the number of persons who received retiring allowances up to January 31, 1911, and January 31, 1912, was given as 413 and 412, respectively; this was a mistake and should have read for the same years, 412, and 411, respectively. This error was due to one name being counted twice, in the preparation of statement at Moncton.

INTERCOLONIAL AND PRINCE EDWARD ISLAND RAILWAYS.

Employee's Provident Fund.

Statement showing the names, occupations, and present residence of persons who were paid retiring allowances during the year ended 31st January, 1911.

Samuel Thibideau, carpenter, Scoudouc
Damas Perry, machineman, Ottawa
Samuel Hamilton, carpenter, Moncton
Douglas Nichol, carpenter, Moncton
Thomas Hogan, watchman, Moncton
John H. Foley, trackman, Jacquet River
Michael B. McDonald, tankman, Harcourt
Edward Mooney, carpenter, Halifax
Isaac Fournier, trackman, Red Pine
Ivan J. Slack, track foreman, Folleigh
Ant. Barbeau, track foreman, Ste. Helene
Hugh Tait, engineman, East Providence, R.I.
Philip A. Logan, mechanical foreman, St. John
John Donahoe, trackman, Moncton
Peter G. Stevens, cleaner, Truro
Joseph Ouellet, trackman, St. Paschal
Cyprien Rouillard, trackman, St. Charles Junction
David Proulx, track foreman, St. Phillippe de Neri
Robert A. Stevens, carpenter, Moncton
Jas. R. Hayward, engineman, Wakefield, Mass.
Archibald McKelvie, car inspector, Calgary
Arch'd McNaughton, car cleaner, St. John
John McAnulty, porter, St. John
Colin McNevin, carpenter, Moncton
Richard Dibben, carpenter, Toronto
Auguste Bélanger, track foreman, Ste. Anne
James Christal, track foreman, Harcourt
Michael Ahearn, track foreman, Nigadoo
John Aikens, switchman, Stellarton
Jas. Handrahan, car repairer, Charlottetown
Joseph A. Bernier, conductor, Ste. Flavie
John Good, carpenter, Charlottetown
John Millman, track foreman, Port Hill, P.E.I.
John Fogarty, machinist, Moncton
Patrick Ashe, track foreman, Windsor Jct.
William Sleeth, moulder, Moncton
Marcellin LeBlanc, stores labourer, Memramcook

John McDonald, carpenter, Moncton
George T. Mellish, carpenter, Moncton
Laughlin O'Hanley, porter, Stellarton
Jacob Mosher, trackman, Picou Landing
Patrick McGrath, janitor, Halifax
Louis Collet, pumpman, Chaudière Jct.
Enoch Price, tool keeper, Moncton
David White, general car inspector, Vancouver
Thos. W. Prince, engineman, St. John
John E. Gooldrup, blacksmith, Moncton
George Collard, brakeman, St. John
George Gagnon, brakeman, Lévis
James Murray, car washer, Moncton
Patrick Sullivan, car cleaner, Moncton
Philip P. LeBlanc, painter's asst., Moncton
James Millican, conductor, St. John
Peleg S. Jones, tool keeper, Moncton
Andrew Rainnie, conductor, St. John
D. B. McPherson, watchman, Truro
Emile St. Onge, station master, Ste. Anne
Eugene Guay, station master, St. Philippe de Neri
William Papineau, constable, Riv. du Loup
Stanislas Bédard, trackman, St. Valier
George Costin, porter, Rivière du Loup
Eugène Blanchet, track foreman, Rivière du Loup
Jean Forgues, switchman, Chaudière Jct.
Edwin L. Perkins, storekeeper, St. John
William H. Bell, car inspector, Newcastle
John Mason, track foreman, Londonderry
Joseph H. Moore, engineman, Shediac
Howard Brown, track foreman, Painsec Jct.
Thomas King, track foreman, Painsec Jct.
John G. McDonald, engineman, Antigonish
John H. Burns, yardmaster, Summerside
Eliza Flanagan, charwoman, Moncton
Thomas McLean, carpenter, Malagash
John Good, upholsterer, Moncton
Abraham Smith, car inspector, Salisbury
Thos. Fitzpatrick, carpenter, Moncton
J. W. Cole, engineman, Moncton
Alex. Madore, car repairer, Ste. Flavie
Frank Archibald, fitter, Rivière du Loup
Joel D. Steeves, clerk, Moncton
William Hayden, machinist, Moncton
Thos. Buchanan, track foreman, Belmont
William T. Robinson, track foreman, Doaktown
Chas. C. Davison, clerk, Moncton
George Foster, carpenter, St. John
Augustin Carrier, porter, Chaudière Jct.
John Kenney, labourer, St. John
Henry Tuppen, clerk, Halifax
Alex. McDonald, watchman, New Glasgow
Alex. Oullet, machinist, Rivière du Loup
John Barnes, labourer, St. John
John McDonald, engineman, Truro
Robert Anderson, trackman, Salisbury
Etienne Turcotte, B. S. helper, Riv. du Loup
Joseph A. Moore, car repairer, Charlestown
James Mowbray, pipe fitter, Moncton
Israel Devault, fitter, Rivière du Loup
John Forbes, baggagemaster, Moncton
William Bulmer, fitter, Moncton
George Malcolm, foreman shunter, Halifax
Thomas Carson, track foreman, Elmsdale
Joseph Johnson, engineman, Truro
Hanford Palmer, station master, Sackville
Robert McDonald, engineman, Truro
Isaac B. Humphrey, station master, Newcastle
A. H. McDonald, trackman, New Glasgow
D. C. Smallwood, fireman, Newcastle
Robert M. Scott, rest room keeper, St. John
John McArthur, engineman, Summerside
Fred. A. Fradsham, machinist, Gibson
Norman Proctor, carpenter, Moncton
Alex. Morin, trackman, Chaudière Jct.
Michael Tobin, engineman, Halifax
Daniel McDonald, porter, St. John
John H. Magee, tinsmith, St. John
James Smith, watchman, St. John
Patrick Driscoll, porter, St. John
Dennis J. White, watchman, Moncton
Edward P. Shaw, checker, St. John
Philip Thibideau, fitter, Moncton
Andrew M. Leger, trackman
Donald S. McKay, track foreman, Dalhousie Jct.
Octave Valcourt, Sty. engine driver, St. Flavie
John Quinn, watchman, St. John
C. R. Palmer, clerk, St. John
John Brown, carpenter, Halifax
James Morgan, porter Charlottetown
Mary Ellen Cahill, car cleaner, Charlottetown
Samuel Buchanan, track foreman, Truro
Chas. J. Clark, track foreman, Charlottetown
Mrs. George Cleland, rest room caretaker. Halifax
William McLeod, clerk, Dartmouth
Andrew Leitch, watchman, St. John
James E. Vincent, wharfinger, St. John
Albert Clements, carpenter, Halifax
John Adams, tankman, Sackville
John Gillard, watchman, Point du Chene
John J. Crossman, carpenter, Moncton
Rufus Harrison, trackman, Maccan
Walter H. Jones, clerk, Halifax
Edward Shaw, esg. watchman, St. John
Henry Fraser, brakeman, Truro
Thos. Hibbits, carpenter, Halifax
Arthur Rogers, porter, St. John
Walter Miller, porter, Truro
Thomas Murphy, porter, St. John
George Murdock, brakeman, Halifax
Ferd. Demers, tankman, Chaudière Jct.
Abraham Duquemin, station master, Cacouna
Danile Culligan, track foreman, Jacquet River
Duncan McNaughton, trackman, Anagance
George Wilson, track foreman, Salisbury
Michel Pelletier, loco. wiper, Riv. du Loup
James Marr, trackman, Londonderry
Daniel Fraser, track foreman, Glengarry
Mary McLaughlin, car cleaner, Stellarton
James Lockhart, track foreman, Pugwash
Thos. M. Corbett, porter, St. John
Joseph Turgeon, trackman, St. Charles Jct.
Richard Wallace, fitter, Halifax
Edward Boak, freight agent, Halifax
Merritt Wheaton, clerk, Moncton
Andrew McCabe, engineman, Newcastle
Thos. Lawlor, trackman, Newcastle
Isaac Gordon, track foreman, Oxford Jct.
William Cole, trackman, Moncton
Chas. McNevin, trackman, Port Hill
Thos. F. Blair, track foreman, Truro
John Simmons, blacksmith, Halifax
George H. Pick, weighing inspector, Moncton
Henry S. Coffin, car foreman, Charlottetown
Edward Fahie, porter, Halifax
John Nash, fitter, Moncton

J. W. Pitfield, clerk, St. John
Robert Williams, brakeman, Truro
Mary Ann Whalen, car cleaner, Point du Chene
Marchall Fournier, tankman, Beaver Brook
J. W. Browneell, engineman, Moncton
John C. Perry, trackman, Wellington
Joseph Raymond, boilermaker, Riv. du Loup
D. N. Robertson, station master, Avondale
Joseph Guillemette, track foreman, St. Charles Jct.
Patrick Donahoe, porter, Halifax
George Seaman, trackmaster, Moncton
Moses F. O'Brien, engineman, Moncton
John Wilson, checker, Halifax
Allan McKinnon, sand dryer, Truro
Jacq. J. LeBrecque, uph. helper, Montmagny
John McFarlane, uph. helper, Moncton
Angus McDonald, trackman, Point Tupper
James Merry, carpenter, Charlottetown
John T. McNally, track foreman, Summerside
George T. Harrop, painter, Moncton
Bliss Lutz, engineman, Campbellton
George McDonald, hostler, Stellarton
Patrick McBride, esg. watchman, St. John
Eugene Boucher, track foreman, Trois Saumons
Michel Poitras, trackman, Trois Saumons
Paul Bourque, carpenter, Moncton
Albert Tremaine, car cleaner, Halifax
Isaac DeBoo, trackmaster, Sussex
Daniel S. Nickerson, carpenter, Moncton
Robert Connell, fireman, Campbellton
William Cooke, car cleaner, Halifax
William Large, track foreman, Hunter Riv.
J. P. McDonald, blacksmith, Truro
Neil Stewart, trackman, Kensington
John McGowan, track foreman, Memramcook
J. B. Laforest, brakeman, Lévis
Hugh Fraser, track foreman, Westville
Rufus Cole, trackman, Dorchester
E. F. Balser, machine man, Moncton
John Bell, track foreman, Royalty Jct.
William Crowhurst, boilermaker, Moncton
William McAllister, boilermaker, West Lynn
Thos. Asprey, watchman, Moncton
R. J. Lutz, carpenter, Moncton
Oliver Geldart, carpenter, Moncton
S. T. Rogers, machinist, Moncton
Edw. Leeman, track foreman, Calgary
Joseph Campbell, watchman, Halifax
Edward Hale, machinist, Moncton
William J. Conrad, machinist, Halifax
William P. Warman, fitter, Moncton
J. B. Dubé, machinist, Rivière du Loup
Donald McKinnon, blacksmith, Moncton
George Barnaby, boilermaker, Moncton
Arthur Sullivan, machineman, Moncton
J. W. Estabrooks, watchman, Moncton
David Delisle, fitter, Rivière du Loup
H. C. Davison, timekeeper, Moncton
François Desrochers, blacksmith, Rivière du Loup
David Drisdale, car repairer, Moncton
W. W. Chapman, carpenter, Moncton
Dom'k O'Brien, trackman, Memramcook
John Dryden, brass cleaner, Moncton
Jos. M. LeBlanc, boilermaker, Moncton
Samuel H. Givan, car repairer, St. John
Thos. Bauer, painter, Moncton
R. P. McNichol, carpenter, Moncton
Peter McInnis, fitter, Truro
Reuben King, machinist, Moncton
Moses Durant, fitter, Moncton
Ellen Brady, car cleaner, St. John
A. K. Thompson, track foreman, Minneapolis
Joseph Brilliant, track foreman, Bic
Joseph Janowyc, painter, Moncton
John W. Phelan, carpenter, Halifax
M. J. McNally, fitter, Halifax
L. C. Leger, painter, Moncton
W. Edmondson, machinist, Moncton
John Lamothe, boilermaker, Riv. du Loup
Daniel White, carpenter, Moncton
William Duncan, fitter, Moncton
Jeremiah Thompson, carpenter, St. John
P. J. McCarron, machinist, Halifax
Alex. Adams, carpenter, St. John
Frank Boasted, labourer, Campbellton
John Cantley, carpenter, Campbellton
William McGowan, machinist, Moncton
Felix Gagnon, storeman, Rivière du Loup
Carlos Gululin, fitter, Halifax
John Gallant, car inspector, Campbellton
Luke John Phelan, carpenter, Halifax
Duncan Gunn, machinist, Moncton
John Belliveau, clerk, Moncton
Martin Henry, carpenter, Moncton
John J. Abraham, machinist, Halifax
Joseph Sirois, cleaner, Rivière du Loup
Alex. Fraser, machinist, Trenton
Chas. Osborne, carpenter, St. John
Mrs. A. Wrightman, car cleaner, Halifax
George Fudge, labourer, Halifax
John T. Clark, track foreman, Halifax
William McLean, asst. foreman, Truro
Angus Wilks, boiler washer, Truro
John Chapman, sweeper, Truro
Nelson L. Rand, m. mechanic, Moncton
John McArdle, labourer, Moncton
Gilbert McLean, fitter, Moncton
Joseph Prince, fitter, Moncton
Andrew Davis, fitter, Moncton
Moses Garland, car repairer, Moncton
Chris. Smith, track foreman, Anagance
Alex. Patterson, boilermaker, Charlottetown
William Saunders, track foreman, Bloomfield
William Brock, engineman, Rockingham
Abner Trites, trackman, Moncton
Thomas Oxenham, watchman, Halifax
George B. Blakney, foreman, Moncton
Docity P. Bourque, carpenter, Moncton
John S. Smallwood, brakeman, Newcastle
Alex. McDonald, car cleaner, Stellarton
John Campbell, foreman, Halifax
Jas. Fitzpatrick, carpenter, Moncton
Terence O'Toole, labourer, Halifax
Michel Chenard, cleaner, Rivière du Loup
Richard Edwards, blacksmith, Halifax
William Blaikie, watchman, Halifax
Caleb Cochrane, boilermaker, Halifax
Jas. Nelson, tankman, Petitcodiac
Thos. Jones, fitter, Moncton
P. D. Happenny, brakeman, Charlottetown
William H. Hope, carpenter, Moncton
Malcolm McNeil, brakeman, Campbellton
Alex. N. Auld, machineman, Halifax
Hugh Chisholm, tool room keeper, Truro
Bernard McDermott, car repairer, Halifax
Alex. McEachern, fitter, Truro
James Wall, blacksmith, Campbellton
J. S. Lowerison, trackman, Aulac
John C. Gaston, charge hand, Halifax
John McLeod, carpenter, Halifax
Joseph A. McManus, fitter, Dorchester

George W. Ritchie, carpenter, Moncton
William Rogerson, machinist, Campbellton
John G. McDonald, stn. bag. master, Pictou
H. W. Chapman, foreman, Moncton
Walter Pirie, yardman, Halifax
Neil McPherson, trackman, Sydney
W. S. Lawrence, painter, Moncton
Alex. Love, sweeper, Campbellton
Edward Stockhall, charge hand, Halifax
Chester W. Judd, car inspector, Marion
Joseph A. Stevens, chief clerk, Campbellton
Théophile Boucher, fireman, Chaudière Jct.
Henry MacDonald, watchman, Putnam
Lauchlin McDonald, carpenter, Halifax
John Keenan, clerk, Moncton
William Ryan, boilermaker, Moncton
Adam J. MacKenzie, caretaker, Marshy Hope
Sylvan Hachey, track foreman, Bathurst
George Bird, porter, Halifax
Daniel McRae, boiler washer, Pictou
John Barnwell, track foreman, St. Charles
John H. Sproull, conductor, Sussex
Miles Hoar, track foreman, Sackville
Jas. H. Partridge, track foreman, Mt. Stewart
John Joyce, freight porter, Halifax
John Labonte, fireman, Rivière du Loup
Geo. Glendenning, trackman, Gloucester Jct.
Joseph Dibben, sr., carpenter, Halifax
Daniel Sullivan, freight porter, Halifax
D. A. Sinclair, foreman, St. John
Lewis Corbett, track foreman, Petite Rocher
Alex. Wilson, trackman, Westchester
Jas. Edgar, porter, Halifax
Angus McLellan, conductor, Moncton
Paul Arsenault, foreman, Point du Chene
Jas. W. Miller, track foreman, Wentworth
David Miller, track foreman, Campbellton
A. McN. Travis, station master, Hampton
Jas. Harriman, car repairer, Newcastle
Kenneth Morrison, engineer, Pt. Tupper
Jas. W. Langille, conductor, Truro
Alex. Edwards, trackman, Ellerhouse
Joshua Clark, watchman, Moncton
Hospice Richard, brakeman, Riv. du Loup
Jas. Purcell, track foreman, Rockingham
Jos. D. Mathieu, porter, Harlaka Jct.
John Campbell, car acct., Moncton
Geo. H. Trueman, station master, Moncton
Mathew S. Trider, charge hand, Moncton
W. H. Morgan, conductor, St. John
Ovide Bérubé, operator, Ste. Flavie
Martin Mahar, B. S. helper, Charlottetown
John B. Robinson, freight checker, St. John
David W. Johnson, freight checker, St. John
Henry Peters, trackman, Newcastle
Geo. R. Logan, engineman, Gibson
John McEachern, engineman, Mulgrave
Octave Brock, engineman, Chaudière Jct.
Nicholas Weatherston, western agent, Toronto
Mary Doyle, charwoman, Moncton
Geo. A. Laird, carpenter, Truro
Joseph Richard, machinist, Riv. du Loup
G. A. Sears, engineman, Campbellton
John J. McManus, porter, St. John
John Kerr, brakeman, St. John
Alphonse Martin, brakeman, Lévis
William Simmons, trackman, Rockingham
Abraham Wilson, track foreman, Oxford Jct.
John Robertson, track foreman, Rothesay
N. Dassylvas, track foreman, Assametquaghan
Donald Ross, track foreman, Piedmont
Samuel Colburn, track foreman, Pugwash
Daniel McDonald, track foreman, Mines Rd.
Jas. Ferguson, track foreman, Wellington
Neil McKenzie, carpenter, Charlottetown
Benj. McKinnon, trackman, Carleton village
Geo. McIntyre, tankman, Blackville
Etienne Letellier, track foreman, Lévis
Willis Gunn, conductor, Halifax
Israel Couturier, station master, Lévis
Germain Morel, freight carpenter, Riv. du Loup
Bridget Trites, car cleaner, Moncton
B. P. Crandall, painter, Moncton
Louis Auger, trackman, Bartibogue
John Brock, track foreman, Chaudière Curve
Placide St. Pierre, brakeman, Lévis
Jas. Machey, trackman, Bathurst
Hugh McLean, trackman, New Glasgow
Octave Lavoie, car repairer, Chaudière Jct.
John Mash, carpenter, Moncton
Rigobert Beaudoin, track foreman, Carrier
Simon Fee, bag. master, Lévis
John Hogan, track foreman, Charlo
J. A. Murray, brakeman, Moncton
J. H. Carrier, clerk, Lévis
Chas. St. Pierre, car cleaner, Lévis
Jean Laflamme, trackman, Carrier

INTERCOLONIAL AND PRINCE EDWARD ISLAND RAILWAYS.

Employées Provident Fund.

Statement showing the names, occupations, and present residence of persons who were paid retiring allowances during the year ended 31st January, 1912.

Samuel Thibideau, carpenter, Scoudouc
Damas Perry, machineman, Ottawa
Samuel Hamilton, carpenter, Moncton
Douglas Nichol, carpenter, Moncton
Thomas Hogan, watchman, Moncton
John H. Foley, trackman, Jacquet River
Edward Mooney, carpenter, Halifax
Isaac Fournier, trackman, Red Pine
Ivan J. Slack, track foreman, Folleigh
Antoine Barbeau, track foreman, Ste. Helene
Hugh Tait, engineman, East Providence, R.I.
Philip A. Logan, mechanical foreman, St. John
John Donahoe, trackman, Moncton
Peter G. Stevens, cleaner, Truro
Joseph Ouellet, trackman, St. Paschal
Cyprien Rouillard, trackman, St. Charles Jct.
David Proulx, track foreman, St. Philippe de Neri
Robert A. Stevens, carpenter, Moncton
Jas. R. Hayward, engineman, Wakefield, Mass.
Arch. McKelvie, car inspector, Calgary
Arch. McNaughton, car cleaner, St. John
John McAnulty, porter, St. John
Colin McNevin, carpenter, Moncton
Richard Dibben, carpenter, Toronto
Auguste Bélanger, track foreman, Ste. Anne
James Christal, track foreman, Harcourt
Michael Ahearn, track foreman, Nigadoo
John Aikens, switchman, Stellarton
Joseph A. Bernier, conductor, Ste. Flavie
John Good, carpenter, Charlottetown

John Millman, track foreman, Port Hill, P.E.I.
William Sleeth, moulder, Moncton
John Fogarty, machinist, Moncton
Patrick Ashe, track foreman, Windsor Jct.
Marcellin LeBlanc, stores labourer, Memramcook
John McDonald, carpenter, Moncton
George T. Mellish, carpenter, Moncton
Laughlin O'Hanley, porter, Stellarton
Jacob Mosher, trackman, Pictou Landing
Patrick McGrath, janitor, Halifax
Louis Collet, pumpman, Chaudière Jct.
Enoch Price, tool keeper, Moncton
David White, gen. car inspector, Vancouver
Thos. W. Prince, engineman, St. John
John E. Gooldrup, blacksmith, Moncton
George Collard, brakeman, St. John
George Gagnon, brakeman, Lévis
James Murray, car washer, Moncton
Patrick Sullivan, car cleaner, Moncton
James Millican, conductor, St. John
Peleg S. Jones, toolkeeper, Moncton
D. B. McPherson, watchman, Truro
Emile St. Onge, station master, Ste. Anne
Eugène Guay, station master, St. Philippe de Neri
William Papineau, constable, Riv. du Loup
Stanislas Bédard, trackman, St. Valier
George Costin, porter, Rivière du Loup
Eugène Blanchette, track foreman, Rivière du Loup
Jean Forgues, switchman, Chaudière Jct.
Edwin Perkins, storekeeper, St. John
William A. Bell, car inspector, Newcastle
John Mason, track foreman, Londonderry
Joseph H. Moore, engineman, Shediac
Howard Brown, track foreman, Painsec Jct.
Thomas King, track foreman, Painsec Jct.
John C. McDonald, engineman, Antigonish
John H. Burns, yardmaster, Summerside
Eliza Flanagan, charwoman, Moncton
Thomas McLean, carpenter, Malagash
John Good, upholsterer, Moncton
Abraham Smith, car inspector, Salisbury
Thomas Fitzpatrick, carpenter, Moncton
J. W. Cole, engineman, Moncton
Alexander Madore, car repairer, Ste. Flavie
Frank Archibald, fitter, Rivière du Loup
William Hayden, machinist, Moncton
Thomas Buchanan, track foreman, Belmont
William T. Robinson, track foreman, Doaktown
Chas. C. Davison, clerk, Moncton
George Foster, carpenter, St. John
Augustin Carrier, ported, Chaudière Jct.
John Kenny, labourer, St. John
Henry Tuppen, clerk, Halifax
Alex. McDonald, watchman, New Glasgow
Alex. Ouellet, machinist, Rivière du Loup
John Barnes, labourer, St. John
John McDowell, engineman, Truro
Robert Anderson, trackman, Salisbury
Etienne Turcotte, B. S. helper, Riv. du Loup
Joseph A. Moore, car repairer, Charlottetown
James Mowbray, pipe fitter, Moncton
Israel Devault, fitter, Rivière du Loup
John Forbes, baggagemaster, Moncton
William Bulmer, fitter, Moncton
George Malcom, foreman shunter, Halifax
Thomas Carson, track foreman, Elmsdale
Joseph Johnson, engineman, Truro
Hanford Palmer, station master, Sackville
Robt. McDonald, engineman, Truro
Isaac B. Humphrey, stn. master, Newcastle
A. H. McDonald, trackman, New Glasgow
D. C. Smallwood, fireman, Newcastle
John McArthur, engineman, Summerside
Fred. A. Fradsham, machinist, Gibson
Norman Proctor, carpenter, Moncton
Alexander Morin, trackman, Chaudière Jct.
Michael Tobin, engineman, Halifax
Daniel McDonald, porter, St. John
John H. Magee, tinsmith, St. John
James Smith, watchman, St. John
Patrick Driscoll, porter, St. John
Edward P. Shaw, checker, St. John
Philip Thibideau, fitter, Moncton
Donald McKay, track foreman, Dalhousie Jct.
Octave Valcourt, sty. engine driver, Ste. Flavie
John Quinn, watchman, St. John
C. R. Palmer, clerk, St. John
John Brown, carpenter, Halifax
James Morgan, porter, Charlottetown
Mary Ellen Cahill, car cleaner, Charlottetown
Samuel Buchanan, track foreman, Truro
Charles J. Clark, track foreman, Charlottetown
Mrs. Geo. Cleland, rest room, caretaker, Halifax
William McLeod, clerk, Dartmouth
Andrew Leitch, watchman, St. John
Jas. E. Vincent, wharfinger, St. John
Albert Clements, carpenter, Halifax
John Adams, tankman, Sackville
John Gillard, watchman, Pt. du Chene
John J. Crosman, carpenter, Moncton
Rufus Harrison, trackman, Maccan
Edward Shaw, crossing watchman, St. John
Henry Fraser, brakeman, Truro
Thos. Hibbitts, carpenter, Halifax
Arthur Rogers, porter, St. John
Walter Miller, porter, Truro
Thos. Murphy, porter, St. John
George Murdock, brakeman, Halifax
Ferdinand Demers, tankman, Chaudière Jct.
Abraham Duquemin, stn. master, Cacouna
Daniel Culligan, track foreman, Jacquet River
Duncan McNaughton, trackman, Anagance
George Wilson, track foreman, Salisbury
Michel Pelletier, loco. wiper, Riv. du Loup
James Marr, trackman, Londonderry
Daniel Fraser, track foreman, Glengarry
Mary McLaughlin, car cleaner, Stellarton
Jas. Lockhart, track foreman, Pugwash
Thomas M. Corbett, porter, St. John
Joseph Turgeon, trackman, St. Charles Jct.
Richard Wallace, fitter, Halifax
Edward, Boak, ticket agent, Halifax, N.S.
Merritt Wheaton, clerk, Moncton, N.B.
Andrew McCabe, engineman, Newcastle, N.B.
Thos. Lawlor, trackman, Newcastle, N.B.
Isaac Gordon, track foreman, Oxford Jct., N.S.
Wm. Cole, trackman, Moncton, N.B.
Chas. McNevin, trackman, Port Hill, P.E.I.
Thos. J. Blair, track foreman, Truro, N.S.
John Simmons, blacksmith, Halifax, N.S.
Geo. H. Pick, weighing inspector, Moncton, N.B.
Henry S. Coffin, car foreman, Charlottetown, P.E.I.
Edward Fahie, porter, Halifax, N.S.
John Nash, fitter, Moncton, N.B.
Robt. Williams, brakeman, Truro, N.S.

Mary Ann Whalen, car cleaner, Point du Chene, N.B.
Marshall Fournier, tankman, Beaver Brook, N.B.
J. W. Brownell, engineman, Moncton, N.B.
John C. Perry, tankman, Wellington, N.S.
Jos. Raymond, boilermaker, Riv. du Loup, P.Q.
D. N. Robertson, station master, Avondale, N.S.
Joseph Guillemette, track foreman, St. Charles Jct., P.Q.
Geo. Seaman, trackmaster, Moncton, N.B.
Moses F. O'Brien, engineman, Moncton, N.B.
John Wilson, checker, Halifax, N.S.
Allen McKinnon, sand drier, Truro, N.S.
Jacob J. LeBrecque, upholster's helper, Montmagny, P.Q.
John McFarlane, upholster's helper, Moncton, N.B.
Angus McDonald, trackman, Pt. Tuper, N.S.
James Merry, carpenter, Charlottetown, P.E.I.
John McNally, track foreman, Summerside, P.E.I.
George Harrop, painter, Moncton, N.B.
Bliss Lutz, engineman, Campbellton, N.B.
George McDonald, hostler, Stellarton, N.S.
Eugène Boucher, track foreman, Trois Saumons, P. Q.
Michel Poitras, trackman, Trois Saumons, P.Q.
Paul Bourque, carpenter, Moncton, N.B.
Albert Tremaine, car cleaner, Halifax, N.S.
Isaac Deboo, trackmaster, Sussex, N.B.
Daniel S. Nickerson, carpenter, Moncton, N.B.
Robert Connell, fireman, Campbellton, N.B
Wm. Cooke, car cleaner, Halifax, N.S.
Wm. Large, track foreman, Hunter River, N.S.
J. P. McDonald, blacksmith, Truro, N.S.
Neil Stewart, trackman, Kensington, P.E.I.
John McGowan, track foreman, Memramcook, N.B.
J. B. LaForest, brakeman, Lévis, P.Q.
Hugh Fraser, track foreman, Westville, N.S.
Rufus Cole, trackman, Dorchester, N.B.
E. F. Balser, machineman, Moncton, N.B.
John Bell, track foreman, Royalty Jct., P.E.I.
Wm. Crowhurst, boilermaker, Moncton, N.B.
Thos. Asprey, watchman, Moncton, N.B.
Wm. McAllister, boilermaker, West Lynn U.S.A.
R. J. Lutz, carpenter, Moncton, N.B.
Oliver Geldart, carpenter, Moncton, N.B.
S. T. Rogers, machinist, Moncton, N.B.
Edw. Leaman, track foreman, Calgary
Jas. Campbell, watchman, Halifax, N.S.
Edw. Hale, machinist, Moncton, N.B.
Wm. J. Conrad, machinist, Halifax, N.S.
Wm. P. Warman, fitter, Moncton, N.B.
J. B. Dubé, machinist, Rivière du Loup
Donald McKinnon, blacksmith, Moncton
George Barnaby, boilermaker, Moncton
Arthur Sullivan, machineman, Moncton
J. W. Estibrooks, watchman, Moncton
David Delisle, fitter, Rivière du Loup
H. C Davidson, timekeeper, Moncton
François Desrochers, blacksmith, Rivière du Loup
David Drisdale, car repairer, Moncton
W. W. Chapman, carpenter, Moncton
Dom'k O'Brien, trackman, Memramcook
John Dryden, brass cleaner, Moncton
Jos. M. LeBlanc, boilermaker, Moncton
Samuel H. Givan, car repairer, St. John
Thos. Bauer, painter, Moncton
R. L. McNichol, carpenter, Moncton
Peter McInnis, fitter, Truro
Rueben King, machinist, Moncton
Moses Durand, fitter, Moncton
Ellen Brady, car cleaner, St. John
A. K. Thompson, track foreman, Minneapolis
Jos. Brilliant, track foreman, Bic
Jos. Janowyc, painter, Moncton
Jno. W. Phelan, carpenter, Halifax
M. J. McNally, fitter, Halifax
L. C. Leger, painter, Moncton
W. Edmundson, machinist, Moncton
John Lamothe, boilermaker, Rivière du Loup
Daniel White, carpenter, Moncton
Jeremiah Thompson, carpenter, St. John
P. J. McCarron, machinist, Halifax
Alex. Adams, carpenter, St. John
Frank Boasted, labourer, Campbellton
John Cantley, carpenter, Campbellton
Wm. McGowan, machinist, Moncton
Félix Gagnon, storeman, Rivière du Loup
Carlos Gululin, fitter, Halifax
John Gallant, car inspector, Campbellton
Luke John Phelan, carpenter, Halifax
Duncan Gunn, machinist, Moncton
John Belliveau, clerk, Moncton
Martin Henry, carpenter, Moncton
John J. Abraham, machinist, Halifax
Joseph Sirois, cleaner, Rivière du Loup
Alex. Fraser, machinist, Trenton
Mrs. A. Wightman, car cleaner, Halifax
Geo. Fudge, labourer, Halifax
Jno. T. Clark, track foreman, Halifax
Wm. McLean, asst. foreman, Truro
Augers, Wilks, boilermaker, Truro
John Chapman, sweeper, Truro
Nelson L. Rand, master mechanic, Moncton
John McCardle, labourer, Moncton
Gilbert W. McLean, fitter, Moncton
Joseph Prince, fitter, Moncton
Andrew Davis, fitter, Moncton
Moses Garland, car repairer, Moncton
Chris. Smith, track foreman, Anagance
Alex. Patterson, boilermaker, Charlottetown.
Wm. Saunders, track foreman, Bloomfield
Wm. Brock, engineman, Rockingham
Abner Trites, trackman, Moncton
Thomas Oxenham, watchman, Halifax
George B. Blakney, foreman, Moncton
Docity P. Bourque, carpenter, Moncton
J. S. Smallwood, brakeman, Newcastle
Alex. McDonald, car cleaner, Stellarton
Jas. Fitzpatrick, carpenter, Moncton
Terence O'Toole, labourer, Halifax
Michel Chenard, cleaner, Rivière du Loup
Richard Edwards, blacksmith, Halifax
William Blaikie, watchman, Halifax
Caleb Cochrane, boiler maker, Halifax
Jas. Nelson, tankman, Petitcodiac
Thomas Jones, fitter, Moncton
William H. Hope, carpenter, Moncton
Malcolm McNeil, brakeman, Campbellton
Alex. N. Auld, machineman, Halifax
Hugh Chisholm, tool room keeper, Truro
Bernard McDermott, car repairer, Halifax
Alexander McEachern, fitter, Truro
James Wall, blacksmith, Campbellton
J. S. Lowerison, trackman, Aulac
J. C. Gaston, charge hand, Halifax
John McLeod, carpenter, Halifax
J. A. McManus, fitter, Dorchester

Geo. W. Ritchie, carpenter, Moncton
William Rogerson, machinist, Campbellton
John G. McDonald, station baggage master, Pictou
H. W. Chapman, foreman, Moncton
Walter Pirie, yardman, Halifax
Neil McPherson, trackman, Sydney
W. S. Lawrence, painter, Moncton
Alex. Love, sweeper, Campbellton
Edward Stockall, charge hand, Halifax
Chester, Judd, car inspector, Marion, Ohio
J. A. Stevens, chief clerk, Campbellton
Théophile Boucher, fireman, Chaudière Jct.
Henry MacDonald, watchman, Putnam
Lauchlin McDonald, carpenter, Halifax
William L. Bulmer, track foreman, Moncton
John Keenan, clerk, Moncton
William Ryan, boilermaker, Moncton
Adam J. MacKenzie, caretaker, Marshy Hope
Sylvan Hachey, track foreman, Bathurst
George Bird, porter, Halifax
Daniel McRae, boiler washer, Pictou
Jno. Barnwell, track foreman, St. Charles
John H. Sproull, conductor, Sussex
Miles Hoar, track foreman, Sackville
Jas. H. Partridge, track foreman, Mt. Stewart
John Joyce, freight porter, Halifax
John Labonté, fireman, Rivière du Loup
Geo. Glendenning, trackman, Gloucester Jct.
Joseph Dibben, sr., carpenter, Halifax
Daniel Sullivan, freight porter, Halifax
D. A. Sinclair, foreman, St. John
Lewis Corbett, track foreman, Petit Rocher
Alex. Wilson, trackman, Westchester
Jas. Edgar, porter, Halifax
Angus, McLellan, conductor, Moncton
Paul Arsenault, foreman, Pt. du Chêne
Jas. W. Miller, track foreman, Wentworth
David Miller, track foreman, Campbellton
James Harriman, car repairer, Newcastle
Kenneth Morrison, engineer, Pt. Tupper
Alex. Edwards, trackman, Ellershouse
Joshua Clark, watchman, Moncton
Hospice Rivard, brakeman, Rivière du Loup
Jas. Purcell, track foreman, Rockingham
J. D. Mathieu, porter, Harlaka Jct.
John Campbell, car acct., Moncton
Geo. H. Trueman, station master, Moncton
W. H. Morgan, conductor, St. John
Ovide Bérubé, tel. operator, Ste. Flavie
Martin Maher, B. S. helper, Charlottetown
J. B. Robinson, freight checker, St. John
David W. Johnson, freight checker, St. John
Henry Peters, trackman, Newcastle
John McEachern, engineman, Mulgrave
Octave Brook, engineman, Chaudière Jct.
Nicholas, Weatherston western agent, Toronto
Mary Doyle, charwoman, Moncton
George A. Laird, carpenter, Truro
Joseph Richard, machinist, Rivière-du-Loup
G. A. Sears, engineman, Campbellton
John J. McManus, porter, St. John
John Kerr, brakeman, St. John
Alphonse Martin, brakeman, Lévis
Abraham Wilson, track foreman, Oxford Jct.
John Robertson, track foreman, Rothesay
N. Dassylvas, track foreman, Assametquaghan
Donald Ross, track foreman, Piedmont
Samuel Colburn, track foreman, Piedmont
Daniel McDonald, track foreman, Mines Road
Jas. Ferguson, track foreman, Wellington
Neil McKenzie, carpenter, Charlottetown
Benj. McKinnon, trackman, Carleton Village
Geo. McIntyre, tankman, Blackville
Etienne Letellier, track foreman, Levis
William Gunn, conductor, Halifax
Israël Couturier, station master, Levis
Germain Morel, foreman carpenter, Rivière du Loup
Bridget Trites, car cleaner, Moncton
B. P. Crandall, painter, Moncton
Louis Auger, trackman, Bartibogue
John Brock, track foreman, Chaudière Curve
Placide St. Pierre, brakeman, Levis
Jas. Hachey, tankman, Bathurst
Hugh McLean, tankman, New Glasgow
Octave Lavoie, car repairer, Chaudière Jct.
John Mash, carpenter, Moncton
Rigebert Beaudoin, track foreman, Carrier
Simon Fée, baggage master, Levis
John Hogan, track foreman, Charlo
J. A. Murray, brakeman, Moncton
J. H. Carrier, clerk, Levis
Charles St. Pierre, car cleaner, Rivière du Loup
Jean Laflamme, trackman, Carrier
Thos. O'Brien, engineman, Halifax
Jas. W. Grant, fitter, Pictou
Eugène Côté, trackman, Isle Verte
Emile Jobin, baggage master, Quebec
Louis Proulx, conductor, Levis
Fred. Davison, conductor, Truro
Andrew Gifford, baggage master, Moncton
John O'Rourke, watchman, Moncton
Geo. L. Blais, baggage master, Levis
H. W. Henderson, foreman, York
W. Langille track foreman, Brookfield
Théophile Morency, track foreman, Trois Pistoles
Malcolm McArthur, checker, Halifax
J. O'Malley, checker, Halifax
D. Nicholson, freight porter, Halifax
Roderick McDonald, trackman, Mulgrave
J. J. B. Guay, conductor, Levis
James Maloney, conductor, Moncton
Elzéar Lessard, trackman, St. Michel
J. A. T. Harrison, foreman, Maccan

BILLS INTRODUCED.

Bill (23) An Act respecting the harbour of Hamilton.—Hon. Mr. Gibson.

Bill (70) An Act to incorporate the Roman Catholic Episcopal Corporation of Keewatin.—Hon. Mr. Lariviere.

Bill (83) An Act respecting the Saskatchewan Power Company.—Hon. Mr. Ross, Moosejaw.

Bill (N 2) An Act to amend an Act entitled 'An Act respecting the Militia and Defence of Canada.'—Hon. Mr. Domville.

TERMINAL PROPERTIES, QUEBEC.

Hon. Mr. CHOQUETTE — Before the orders of the day are called, I would ask the hon. leader of the House if he can give me some information about the payment

for the properties which have been taken by the Transcontinental Railway Commission at Quebec.

Hon. Mr. LOUGHEED—The return for which my hon. friend asked has been placed in my hands to-day, and I shall have great pleasure in placing it upon the table of the House. I understand the motion was for papers concerning the expropriation of the properties of certain parties in the city of Quebec.

Hon. Mr. CHOQUETTE—That is not the way the question is put; it was to know if the government was going to pay for the properties which had been expropriated, or to give them back to the parties, for this reason, that according to law, as my hon. friend knows, this property belongs to the government, they having expropriated after due notice had been given. They have offered certain prices for some properties and we have accepted the prices, and now they do not pay. On the 13th December last I myself wrote to the chairman of the commission, and he answered me under date of 21st December in this way:

Ottawa, December 21, 1911.
Messrs. Choquette, Gallipeault, St. Laurent and La Ferte, Avocats,
105 Côte de la Montagne,
Quebec.
Re Terminal Properties, Quebec.
Dear Sirs,—In reply to your letter of the 13th instant, I beg to say that this matter is under consideration, and until a definite conclusion is arrived at, nothing further can be done.
Yours very truly,
R. W. LEONARD.

I just wish to know whether they are going to take the properties. If so, it is only fair that they should pay the prices; if not, let them say so, and it is time to release the property, as this is the season for re-letting. The properties cannot be handled while they belong to the government, nor could the city take the property for taxes. The position is serious, as it is now two months since the matter has been before the commission.

Hon. Mr. LOUGHEED—I would say to my hon. friend that this apparently has been the subject of certain proceedings in the Exchequer Court of Canada. I would suggest that he should look over the return I brought down, and if it seems insufficient and does not give the information my hon. friend desires, I shall be very glad to prosecute the inquiry further.

THIRD READING.

Bill (Z) An Act for the relief of Ethel May Stewart.—Hon. Mr. Roche.

THE NAVAL ACT.

SECOND READING.

The order of the day being called.

Second reading (Bill P) An Act to repeal the Naval Service Act—Hon. Mr. Choquette.

Hon. Mr. LOUGHEED—I should like my hon. friend from Grandville to state some reason why this very important public service should be dispensed with in this very summary way. The repeal of this Act involves the wiping out of a whole department. Possibly my hon. friend has something to say upon it before dealing with the matter so summarily.

Hon. Mr. CHOQUETTE—I do not think it necessary to explain this Bill, because it is so short, plain and simple. I would feel that I was hurting the intelligence of my right hon. friend by giving any explanation of the Bill. It speaks for itself. It is well known to my hon. friend that it is the duty of the government to fulfil the promises they made before coming into power, and that is what I am calling upon them to do now. I do not feel inclined to take much of the time of the House in discussing this Bill. I will not dare to repeat all the things that have been said on this question, both in the Senate and in the House of Commons when the Act was passed, and especially will I not attempt to repeat all that has been said since the day it was passed. I have made this motion, first, to prove my consistency and to help to some extent the government to prove theirs, they having taken on this Act the same position that I took myself; and, further, I am giving a chance to those who by mistake voted for the Naval Act in the first place, to correct that mistake. Without any further explan-

ation, I would just like to quote the position taken by the leaders of the government in both Houses. When the leader of the last government brought up the Naval Bill, the leader of the present government said, and truly said, that the government had no authority to pass that Bill. In reading over the amendment moved in the other House by the present Prime Minister I find that it is as follows:

> That the said proposals while necessitating heavy outlay for construction and maintenance will give no immediate or effective aid to the empire, and no adequate or satisfactory results to Canada.
> That no permanent policy should be entered upon involving a large future expenditure of this character until it has been submitted to the people and has received their approval.

That was part of the amendment to the Bill moved by the present leader of the House.

The Laurier government pretended that they had authority to pass that Bill—that the result of the elections in 1908 had given them a blank mandate, so to speak, to pass any measure they saw fit in the interests of the country at large, but my hon. friend opposite took the contrary view. He contended that this measure was useless, costly, and especially that it should be submitted to the people. Mr. Monk, one of the ministers in the present government moved a sure amendment to this effect:

> That this House, while declaring its unalterable devotion to the British Crown, is of opinion that the Bill now submitted for its consideration, changes the relations of Canada with the empire, and ought, in consequence, to be submitted to the Canadian people in order to obtain at once the nation's opinion by means of a plebiscite.

So the views of those who are now in power were that a measure of such importance ought to be submitted to the people for approval, and a denial that the government of the day had a mandate to pass such legislation. The Bill was passed in the other House and came to the Senate. What position did the present leader of the government in this House take when he was leading the opposition as cleverly as he tries to lead the government now? At that time I took the stand that the amendment in the other House should have been adopted, and such a measure should not be passed without consulting the people, not by a plebiscite, but at the general election. It was my intention to move such an amendment, but the then leader of the opposition opened fire and said, in a long and clever speech, that to his mind this measure was one of the most important introduced into parliament since confederation. He said:

> It involves Canada stepping out from its local status and entering the lists of naval powers, assuming enormous expenditure and national obligations such as two years ago, were not contemplated in the near future.

He continued:

> I presume we may attribute the genesis of this Bill to German scare.

He also says:

> I do not think the hon. gentleman will seriously contend that the so-called Canadian fleet will be of any adequate service to Great Britain in time of war. In my judgment the only nation that this fleet can be designed to repel would be the fleet of the United States; but it can only be an irritant and provocative of mischief so far as the United States is concerned.

He says further:

> The logical outcome of the Canadian navy must be to produce in Canada a severance from Great Britain. The whole result of the adoption of such a policy will ultimately cause Canada to cut adrift from the empire to which we now belong.
> It is a policy into which the government has been stampeded. It is a compromise measure. It possesses little or no virtue.

At the close of his eloquent speech he moved:

> That this House is not justified in giving its consent to this Bill until it is submitted to the judgment of the country.

The House will see that the hon. gentlemen when in opposition, the members of the present government, and their friends, were of the opinion that it was a bad measure, useless, costly, and one which should be submitted to the people. I took the same position and if the people gave it their approval we will submit to their verdict. That is the view I take now, and I ask my hon. friends to be consistent with themselves, and abide by the decision of the people. I may say that the seconder

of the amendment, our venerable colleague, Mr. De Boucherville, in a clever speech said:

> The question before us is the motion that this House is not justified in giving its consent to the Bill before it has received the sanction of this country. I do not intend to give my opinion for or against, the measure; but I ask why are we taking up this measure without consulting the people?

It is always the same thing. The contention of those opposed to the measure was that the government had no mandate from the people, and that the people should have been consulted before the measure was passed. Since then the people have been consulted. I may say that the question was not submitted specifically, but the matter was fully discussed. On the 21st of September last the people condemned the late government, and one of the issues on which the election turned was the Naval Bill. We all know that the Tory candidates, friends of the present government, English and French, in different parts of the country, not only pronounced themselves against this Bill, but they issued statements pledging themselves under their signature, if elected, to move for the repeal of the Naval Bill. I cite to show that the question was before the people. I quite agree that it was not put in the same way in all the provinces. The Naval Bill was condemned because it did not go far enough going too far. In other provinces it was condemned because it did not go for enough and so according to the views of the leader of the government. But the question as a whole was submitted to the people and they pronounced against it. As a man of honour, having taken a stand that I was willing to submit to the will of the people, I feel it my duty to move for the repeal of that Act, and I do not see how the present leader of the government in this House, or the members of the government in the other House, especially those elected because of their stand on this question can now be idle and not repeal the Naval Bill. I would have preferred that this Bill should originate in the other House. I have been waiting for many weeks to see what those who took the stand I took, and who promised before the public on the hustings throughout the province of Quebec to move for the repeal of the Naval Act would do, but unfortunately in the other House nothing has been done. We have seen a resolution presented one day, at an hour of the session when it was impossible to come before the House. We have been told, and told by friends of the government, that the member who placed that resolution on the order paper was put up by a member of the government. We have seen where the government was asked to state their policy on that question. Within the last few days we have seen the member for Yamaska put a question to the government to know if they are going to move in that direction. I have kept still in order to know if the government is going to do something, because it might be said that my object is to embarrass the government. I have kept still for weeks just to know the policy of the government, which is bound in honour now to declare during this session, and bound to declare as soon as possible, what their policy is, in order to fulfil their promise. But what do we see? Every time the question is put to the government in the other House the Prime Minister has said: 'Let it stand;' and the members who pledged themselves to press the government to repeal the Act have done nothing. Well, hon. gentlemen, I am not going to keep standing, and to-day I come to ask the government seriously what they intend to do, and to declare their policy.

Hon. Sir RICHARD SCOTT—Vote, vote.

Hon. Mr. CLORAN—Why does the hon. gentleman want to vote? Can't he wait till the hon. member has finished?

Hon. Sir RICHARD SCOTT—There is honour in the Senate.

Hon. Mr. CHOQUETTE—We know what the Bill contains, as it has been put before the public, but I just wish to make these few remarks so as to make the case as plain as possible in order that the government may thoroughly define its policy. At the time we adopted this policy we knew what had been done and said. It was argued that the government, having a majority, had the authority to pass any law that they thought was for the good of the

country. To a certain extent that is true, but when we see, and when we have the proof, that a mistake was made, there is nothing inconsistent in endeavouring to repair it. I addresse myself now to those who voted in this House for the Act. I have heard many members of this honourable House say that they would be in favour of repealing the law, but that they were not going to be inconsistent and seem to reverse their votes. I would say that is a mistake, or a false interpretation of the vote given in this House. It has been said that the government had a right to pass that Act because they had the support of a majority of voters. On the measure coming to this House we had reason to believe that they had authority to pass it, and those who in good faith thought that the Bill was a good one voted for it, and did so conscientiously and sincerely. Now they have proof that they were mistaken, misinformed; they have proof that when the House passed that Bill they had not the authority necessary to pass such a measure. The Supreme Court of the people has pronounced against it. Now the question comes back before the House: It is not inconsistent now to say: 'We thought that we were right at the time; we believed that the vote we gave was a good one; we still believe it, but as the mandate which had been given to those presenting that measure has been taken away, we are now given a chance, under a new mandate, coming fresh from the people, to study that measure and repeal it. I do not see how those who voted for the Act, in voting now to pass this Bill and send it back to the popular chamber would be inconsistent with themselves. It is, I might say, like a judge upon the bench who has given a judgment. That judgment goes to the last Court of Appeal, and his judgment is reversed. He is not going to say that he would decide as he had decided before because it would be inconsistent to change his judgment. Not at all; he follows the jurisprudence. I say we have passed judgment on the case here. A minority in this House was in favour of submitting it to the people, the majority said: 'No the responsibility is with us; we are willing to pass that law'. The law is passed. It goes back to the Supreme Court of the people. The people pronounce upon it, and say parliament was wrong. Now it comes back again and we say, 'The people, who have to pay for carrying out the naval policy, have declared that our representatives were wrong,' therefore we will reconsider the measure on the judgment that is just fresh from the electors. So I should like to have this Bill passed unanimously by the House. For my part I am quite consistent with myself, and I do not see how the present government and their supporters can vote against the second reading of this Bill. As for those who voted for the Act then, I do not see why they should not support the Bill to send it back to the other House where it should be properly debated by the recently elected representatives of the people because if they were sincere in their declarations before and during the election, that they would repeal the law, they would accept this Bill; if not, well, we know what they would do, and in due time the people will judge them. But not only during the election did Tory candidates pledge themselves to repeal that law, we know that in the heat of a campaign many candidates make promises which they cannot fulfil; but when ministers of the Crown have pledged themselves to repeal that law or submit the question to the people, how can they now go on and not fulfil their promises? I have in my hand a speech taken from 'l'Evenement,' the organ of the Postmaster General, delivered at Lorette on the 28th of October last—not when he was a candidate, but when he was a sworn minister of the Crown, coming back before the electors for re-election; he then said to many thousands electors, that the Naval Bill was too costly, out of proportion to our means, no good in case of war, and that if there should be a plebiscite and the majority of the electors would pronounce against it he would submit, and that he was still of this opinion, adidng, 'I stand for the plebiscite, but if you give me something better I will not refuse it.' He was alluding to a speech delivered by Mr. Lavergne after coming from Ottawa, saying he had the promise from the Prime Minister that the Bill would be repealed, or at least that they would have a plebiscite at once. How can these gen-

tlemen stand now before the public, claiming to have the confidence of the electorate of this Dominion, without fulfilling the promises they have made? How can they refuse to answer questions put to them on this naval question? Their policy must be well known now! The Act was put in black and white three years ago on the statute-book. It has been before the public for three years. What reason have they now to refuse to answer? During the election I heard them say all over the province of Quebec, that it was a matter for the Canadians themselves to settle, that it was a bad Bill and it would be repealed if they came to power. How can they be acting as they are now and not be told they got in under false pretenses,or through false representation? I have spoken longer that I expected, but I have done my best in a language in which I am not accustomed to speak. I reiterate that there is no explanation of the conduct of these gentlemen who are now in power, and who obtained it under cover of that Naval Bill. I ask them to be faithful to their promise and to stand like men, take their medicine, and give the country the full measure of what they promised. They have not acted straight with the people; they have done nothing since the beginning of this session to declare their policy. I am convinced that they are trying to deceive the people now as they deceived them during the last election; and in order to compel them to declare their policy and fulfil their promises if I had the power, I will not vote the supplies until they do declare their policy. According to the leader of the government, this question is one of the most important that has ever been introduced since confederation. I do not believe in the Senate trafficking with questions of dollars and cents or of general administration; but on a question of this kind, when the present government, through its leader in this House, has declared that it is one of the most important questions that has come before parliament since confederation we, in this House, have a right to say to these hon. gentlemen: 'You shall fulfil your promise; you shall give to the people what you said you would, or you will not have a cent of the peoples' money to administer the affairs of this country. You have deceived the people, and as long as you refuse to fulfill your promises of a plebiscite as long as you refuse to repeal this Naval Bill, we are justified in refusing to pass the estimates of the government.' I have tried to show that those who have stood firm on the question of consulting the people on this subject cannot now vote against this bill. I also appeal especially to those who voted for the Bill, and not to think that they would be inconsistent if they stood for the people. At the time this measure was passed, I repeat, I remember they said they voted for it because they thought the late government had a mandate to pass it. Unfortunately for the late government the contrary is true. I believe, hon. gentlemen, that you are justified in voting for this Bill and sending it back to the other House to ascertain what is the disposition of the government, and their policy on this important question.

Hon. Mr. DAVID—I have only a few words to say in answer to the appeal that has been made by the hon. member to those in this Chamber who voted for or against the Naval Bill. I must congratulate him upon the stand he has taken in this matter. It shows his consistency and sincerity. In order to better appreciate the position taken by the hon. member for Grandville. I think it is wise to recall what took place in connection with this great question of the Canadian navy, when the Laurier government thought proper to act in accordance with their resolution, which had been adopted in 1909. That resolution was adopted unanimously. They could not then foresee that a year after those who had voted for this resolution would change their minds and oppose the measure proposed by the government in order to give effect to that resolution. They established the Canadian navy in order to help Britain to keep up their supremacy on the sea. It was then contended that the people should be consulted. What was the cause of that change? Simply an election which took place in the county of Drummond and Arthabaska, during which the people were induced to believe that a prejudice had been raised in the county of Arthabaska and in the old province of Quebec, against the

establishment of a Canadian navy, not only against the establishment of a Canadian navy, but against any scheme by which we could contribute money, or by which anything might be done in order to help England to keep her supremacy on the sea. No navy, no dreadnoughts. No contribution. Nothing unless the people of the country were previously consulted. That was the popular cry which was heard from one end of Quebec to the other, and that popular cry found an echo in this Chamber.

The hon. gentleman who has just moved for the repeal of the Naval Bill was one of the three who expressed their views in favour of a plebiscite, and who were of the opinion that nothing should be done unless the people were consulted. The speeches of the hon. members were cited, and published and praised in all the Conservative and National papers of the country, and they were proclaimed the only independent Liberal members of the Senate. Their speeches were used in the election, and it was repeated everywhere that the first move which would be made, as soon as the House of Commons met, would be to ask for the repeal of the Naval law. It was said that Mr. Bourassa would have only to raise his hand, and the Canadian navy would vanish in one year. The election took place, and the government were defeated. The House of Commons met; one month elapsed; two months elapsed; three months elapsed, and nothing has been done. Nothing to abrogate that infernal, infamous law ' as it was called in the province of Quebec. In about three months a resolution was moved in the other Chamber, but it was moved when it was too late to be taken into consideration during this session of parliament. It was a resolution which meant nothing at all. The only way for the Nationalist party or the Conservative party to show their sincerity and to give practical effect to their resolution, was to do exactly what the hon. member for Grandville (Hon. Mr. Choquette) has done, move for the abrogation of the law. Then when the hon. member for Grandville and his friends, the Liberal members of the Senate, who on this question thought proper to support their friends and rose to show that they were not in accord with those who were talking of the means necessary in order to switch the question, they decided to move, as the hon. member for Grandville has done, for the repeal of the law. They naturally had reason to believe that they had the support of the government. They most naturally thought the government of the day, who had profited by the action which had been taken and by the speeches which had been made, and by the agitation which was the result of the position taken by the hon. members of the Senate, would naturally do their duty towards them, and recognize what they had done for them, and show their gratitude by taking advantage of this motion made by the hon. member for Grandville, and vote for the repeal of the law. After the speech made by the hon. member for Grandville, and after the proof which he has given of the declarations made by the hon. members of this House, he has a right to believe that the hon. leader of the Senate, and his friends, the members of the Conservative or Nationalist party will vote to repeal the law. I do not see how they can do otherwise, in order to justify the declarations and promises which were made to the electors of the country, and especially to the electors of the province of Quebec. I do not see how the leader of this House and his friends can refuse to take advantage of the motion made by the hon. member for Grandville, to repeal this Naval law; a law which has been denounced in the province of Quebec with so much violence, and which has been denounced in the province of Ontario on different grounds, and for different reasons. I am sure the hon. leader of the House will respond to the motion that has been made by the hon. member for Grandville, and will prove that they were right when they relied upon the friends of the government to support them, and justify the action which they have taken and the speeches which they made during the last election. The hon. member for Grandville not only relies upon the government, as I understand, with the confidence, which he has a right to, but he appeals also to the Liberals who voted for the Bill. If the hon. gentleman receives no other comfort or consolation than that

which he expects from the Liberal party, or at any rate from me, I fear that he will be very much disappointed. If the hon. gentleman thinks it proper, in order to show his consistency and sincerity to do what he has done to-day, and ask for the repeal of this law which he denounces, and if he thinks it necessary to show his sincerity to say that the people have pronounced on the question and have given their verdict, and if he is consistent in asking for the repeal of the law; we for the same reason have a right to be consistent and stick to the resolution which was adopted unanimously by the House of Commons. We have a right to speak to the resolution which was passed in this Chamber in favour of that Bill, and we will stick to our resolution, because we believe now as we believed then, that the most practical and reasonable way to settle that question was to do what the government has done in order to reconcile what is due to Britain with what is due to Canada. I regret to say to my hon. friend that he cannot rely upon us, but I have reason to believe that he has a right to expect the confidence of the government and to believe that the leader of this House will rise and say that he is ready to support the motion he has made. In order to have a straight vote on the question, and in order that the members of the House shall have an opportunity of expressing their views on it, I move the previous question.

The SPEAKER—Moved by the Hon. Mr. David that the question be now put.

Hon. Mr. CLORAN—I am very much surprised that a senator of his standing should move to choke off debate.

The SPEAKER—I call the attention of the hon. members to the fact that the previous question does not close the debate; the debate will go on, but it precludes any amendment.

Hon. Mr. POIRIER—I would ask to have some explanation of that ruling, because it is very deceiving. We may desire to vote one way and yet vote another.

The SPEAKER—I will give the House an explanation at the time of voting.

Hon. Mr. CLORAN—It means that there will be no amendment. In seconding this motion, I can assure the hon. member from Mille Iles (Hon. Mr. David) that I had no intention, and have none now, of seeking the endorsation of the government or its support in regard to the measure, especially as a matter of gratitude on their part for the services rendered by myself; he can rest assured of that.

This question of the naval policy has, fortunately, faded far, far away. It is practically dead. So dead that the government is about sending it over in a coffin to the Admiralty to have it examined to see if they can revive it. I do not like sending a corpse to Downing street for the purpose of having a post mortem upon it. The government, in making that proposition, are belittleing the importance of Canada and making themselves very small. We do not want Downing street politicians to formulate a policy for Canada. They have enough to do over there looking after their own troubles. Our statesmen should be confident enough to formulate and carry through any policy that the interests of Canada demand, and I am opposed to any policy being initiated for us in Downing street. The naval policy of Canada was threshed out during the last election. In the west, they were looking for box cars, and not for Dreadnoughts, and they sent a lot of good Liberals down here to look for box cars. In Quebec, there are three or four counties where the question is still being threshed out by ministers of the Crown, one the leader of the province of Quebec, the other a gentleman from St. Jerome, and the other a bright young politician from Quebec. They gave their absolute word that this Naval law shall be repealed. The member for Grandville (Hon. Mr. Choquette) has put that question twenty times if not one hundred times, and no answer. Will I give the answer on behalf of the government to the hon. senator? It is because the three French members from Quebec will not allow the government of the day to declare their policy.

Some hon. SENATORS—Hear, hear!

Hon. Mr. CLORAN—Is not that the fact? Can the hon. leader of the government deny it? Did not the present Postmaster Gen-

eral give his word as a minister that if he was returned he would see to it that the Naval Act was repealed, and that the question would be referred to the people and a plebiscite would be taken. The hon. leader of the House ought to be well informed in regard to the doings of his colleagues and confreres. Surely he cannot ignore that fact. Does he not know that the French leader of Quebec is deadly opposed to the policy of Hon. Mr. Borden of two years ago, and to the policy of Sir Wilfrid Laurier? He had a policy all his own, which was suggested by other politicians in Quebec. The hon. leader of the House ought to know all these facts, these being facts still existing and still adhered to, and a doctrine still held by these ministers. We must not be surprised if he fails to answer the question put by the hon. senator for Grandville: 'Why don't you declare your policy?' The reason is because the government have none. The French members of Quebec have strangled your policy and have tied your hands. During the past fifteen years, Sir Wilfrid Laurier as Prime Minister of this country, the man who gave peace and harmony to every province throughout this Dominion, brought prosperity to every home throughout this Dominion, and made the name of this country respected, not only in Downing street, but in every court of Europe. I have heard it said that under the Laurier government there was too much French domination.

I have heard the statement made by Grit as well as Tory. I have no doubt during the last election there were 25 or 30 Grits in certain counties who voted against us because there was too much French domination. What would they think of the French domination to-day, under the present government, and the outside leader, the Mephistopheles of the party? I contend that the hon. gentleman from Grandville was perfectly within his rights in asking this House and the House of Commons to do what the people wished them to do—to repeal this Act. Hon. gentlemen will remember that during the election campaign the Naval Act created a hubbub and had the country all ablaze, but not a soul speaks of it now and nobody wants to hear of it. It was only in existence a few months when it was wrecked on the rocks near Halifax. Why should it not be repealed when the people do not care for it? If the government of the past had taken the money that this Canadian navy will cost the country, and applied it to effective service, it would have been much more to their credit and much more in the interests of the people at large. We are told this question should be submitted to the people. I have no objection to that. There would be no use submitting it to me, because my mind is fully made up about the Canadian navy, so-called. If the people of Canada were asked the academic question 'Are you in favour of the navy?' the majority of them may say yes; but if a plebiscite is taken on that question. let it not be an academic question but a practical one. Let the question read, 'Are you prepared to spend anywhere from two to three hundred million dollars in building torpedo boats, cruisers, coaling stations, naval stations, &c., maintaining an army of naval officers, seamen, and (as I understand) bandsmen?' Ask the people if they are prepared to pay that initial cost of two or three hundred million, and also the further question, 'Are you prepared to pay yearly for the up-keep and maintenance of that fleet anywhere from twenty to thirty million dollars a year?' What will the answer be? You would not get one out of ten to say yes. The people would say no, and with reason. The country would be made to grow twice as fast as she is growing to-day if that money were spent in large national public works, such as the construction of the Georgian bay and Welland canals, and railroads. Our transportation facilities would in that way be augmented to a considerable extent. If a part of that money were spent in establishing a consular service in all the commercial centres of the world, our trade would not be damaged as it is to-day by the British consular service. Get a British consul promoting Canadian trade when he has a Manchester, Liverpool or London firm to look after it. Take what was done in Japan, or China, I forget which, where our trade commissioner had to fight the British consul in the open press to secure respect for the rights and interests of Canadian manufacturers and shippers. If we invested that money in a consular

service we would be doing something unsurpassed in the history of Canada. We would have consuls in nearly every large commercial centre of the world, and for one-tenth of what the Canadian navy would cost.

But we are told that a Canadian navy is needed to strengthen the British navy.

I do not know how many people take stock in that theory—perhaps those who may have the patronage of the navy, the building of the ships, &c.—but I fail to see where any navy that Canada can construct may be of any use to the British navy, which is independent of the Canadian navy. That leads me to another consideration, which probably will not go easily into the ears of certain people—that if Canada were not tangled up with Great Britain in its foreign transactions, we would only need a few boats to look after our lobsters and oysters, as we do to-day. The danger lies in the fact that if war were declared by the British government against any nation or by any nation against Britain, we have to go to war. That is not a bright prospect for a young and thriving country like Canada, that has won its way to the front among the nations without spilling one drop of human blood—practically the only nation on God's earth that has achieved its position of independence without a single battle, without one sword being drawn, without one drop of blood being shed. We are asked to throw aside those glorious traditions, to throw aside all our past history, to mix ourselves up in foreign entanglements and foreign wars with peoples with whom we have no quarrel. I say on that point with Gladstone and Bright, and with the leading minds of British statesmen, that the sooner Canada has her independence and is free from all entanglement the better. That is my doctrine, and I take it, as Sir Wilfrid Laurier took his politics, from England. I put myself on record with the leaders of the opposition, and vote with the Nationalists and Conservatives that this policy is useless, extravagant, and of no consequence. That being the case, I think I have done my duty in expressing these views and in seconding the motion of the hon. member from Grandville.

Hon. Mr. CLORAN.

Hon. Mr. ROCHE—I move the adjournment of the debate.

Hon. MEMBERS—No! No! Vote!

Hon. Sir RICHARD SCOTT—Vote!

Hon. Mr. CLORAN—You can do it if you want to.

Hon. Sir RICHARD SCOTT—The honour of the Senate is at stake.

Hon. Mr. DERBYSHIRE—I will second the motion.

The motion was declared lost on a standing division.

Hon. Mr. LOUGHEED—My hon. friend has the floor; he proposes to speak on the subject.

Hon. Mr. ROCHE—I regret that the motion of the hon. gentleman to my right (Hon. Mr. Choquette) is too sweeping. It is absolute; there is no discrimination in it. I exceedingly regret that the government have not explained their precise position on this question, that is, to know how far the interval which has elapsed between the passing of this Act and the present time has been employed by them, and how far they are prepared to supplement and carry out the policy of the late government. There was a debate in the hearing of the gentlemen present, and though we had not the concurrence of the hon. gentlemen opposite, we flattered ourselves that we had their acquiesence in some essentials, that is, that they agreed that the country ought to be defended; that there should be some provision for the training of seamen; that there should be some provision for the repairing of ships; and that parliament should make preparation for the defence of the Dominion and for assuming its position of being an auxiliary to the mother state. What was in abeyance, and what was not concurred in, so far as I can perceive, was that we should not proceed immediately to the building of ships. That might be the evolution of the navy; it might take whatever shape it would assume later on; at any rate we thought from the remarks of the leader of the government and the gentleman who fol-

lowed him, Sir Mackenzie Bowell, that they agreed, in a measure at least to these essentials, and that they should be carried out. But if I understood them properly, they differed in opinion as to the expenditure of the money; that we should, instead of building ships as was designed under the Bill, hand over a money contribution to England. Now, as those initial steps could not be taken later on, because this process involved a considerable amount of delay and preparation, it was a corollary on what had been remarked, that we should proceed with the naval establishment and those arrangements now, in order that, if they should be called into utility, they would be effective and perfect. I regret that this Bill now brought in is destructive to all that has been done. I am far from saying that the Act is perfect, or that some clauses of it might not be amended, or that all that was executed under the Act and all the establishments with their details were perfect so that they might not be revised now under the light of experience and of trial and experiment; but none of that is allowed. This Bill is not discriminatory; it destroys every paragraph and every clause in the Act from first to last. It negatives everything that has been done; it roots up all the establishments which have been commenced; it renders fruitless all the expenditure which has been made, and it is utterly destructive as it throws away the money which has been expended, renders all our proceedings nugatory, and, in fine, leaves our maritime country defenceless for the future.

Hon. Mr. CLORAN—Poor fellows.

Hon. Mr. ROCHE—Now that is a position which I do not think the mover of the Bill has contemplated. He has not run into these details and into this modus operandi, and he perhaps does not observe exactly what the passage of his Bill will effect. Previous to our little discussion in this House, there had been in Britain and on the continent, unknown perhaps to us, a prospect of a very pronounced difference with Germany, and the fleets of Britain had been concentrated in the British channel and the North sea to prevent an anticipated attack by Germany. That was the origin of the feeling throughout Britain and the colonies, that something ought to be done to supplement the defence which England could make. Since that event, it appears that there has been, unknown to us, another difference with Germany, and that Britain and Germany were on the verge of war. I do not know whether that is correct or not. Admiral Fisher said he made arrangements to prevent it. Sir Charles Beresford said the navy was in a state of dilapidation and that all their arrangements were futile. I saw in a French paper where there was a British fleet concentrated off Portsmouth, two more in the channel, one on the western coast of England, another on the Eastern coast of England, one on the western coast of Scotland and one on the eastern coast of Scotland, leaving old Ireland to be defended by the native valour of her own sons. But no arrangements provided for the defence of British shipping, in fact none of those arrangements which were imperial in their character and which one would think would be designed and be ready for execution if the designs of the British navy were comprehensive, even if a money contribution to the British government should effect the object which we had in view—imperial defence, embracing the defence of the colonies as well.

Hon. Mr. CHOQUETTE—Does the hon. gentleman not know that, some ten days ago, Winston Churchill said in Glasgow that he did not want either men or money from the colonies to defend England? Can I have an answer to that??

Hon. Mr. ROCHE—Yes, I can give an answer. I am giving it now. I want to call the attention of the House to a very material change that has taken place in the western world, now under our eyes, and the nations are becoming alive to it; that is the finishing of the Panama canal. The early completion of that canal has revolutionized all the naval programmes of the European nations and of the United States. British commerce is exposed to the depredations of any hostile power. Large fleets of ships will come through the

Panama canal and will go on their way to England or to other places of destination. The commerce of England is involved in this. The British government have become alive to it. They have resuscitated Jamaica, which used to be an old naval station; they have reinforced Bermuda; and it those fleets of ships are not to be attacked by a hostile power they must have a port of refuge like Halifax, intermediate, to which they can resort and from which they can be convoyed to their place of destination. Any of you gentlemen remember that at one time a fleet of four hundred merchant ships was sent out from England, and two admirals of England, Delaval and Kiligrew were to convoy them through the Mediterranean. They went as far as Gibralter and turned back, and the French navy issued out and devastated and harassed that fleet. They lost millions in the commerce of England, till the mercantile marine was nearly broken up by it. What is the fact?

Unless there is a place of refuge from which ships can issue and protect it, the whole of the commerce of England coming through the Panama canal is running a risk from any hostile power that may attack it, and as our ships proceed under convoy it is esential that these places of refuge and places to obtain supplies, should be established all along the line. What was the fact? President Taft has referred to that matter. He berated the Democratic party that they had objected to provide adequately for the building of a navy to maintain their predominance in that narrow sea, and the United States government is proceeding to build two iron clads annually, in order that their prestige in those waters may be maintained. It is well known to any one who looks into naval affairs that the collection of a fleet of dreadnoughts inshore is hazardous, and a waste of money, because the nations to-day have a secret by which a bomb can be dropped from a contrivance above which destroys large ships, and one exploding destroys a whole fleet. Naval conflicts in the future may be on the open ocean by individual ships of great size. England is departing from the dreadnought and is building these floating argosies so that they may be more powerful than other factors on the open sea. The alternative policy of my hon. friend the leader of the government here is not so attractive as it was even at the period when he made his statement. Therefore, we have a new start. The commerce of Britain is its most important asset. From it proceeds its financial power, and it is recognized as the mainstay of the country. I think it is not beyond the ken of men who have large views to suppose that the conflicts of the future will not be individual conflicts, but a conflict of groups of nations against other groups. It will not be England against Germany, or Germany against France, but it will be a combination of nations. What prize so great that could be put before a hostile nation as the whole British commerce, or to British commerce that will traverse the northern and western seas? My hon. friend spoke about the immunity of Canada. What greater prize could be placed before a group of nations than the capturing of Canada and making it part of another country? Is it on the political programme any where? Has my hon. friend ever thought of it? While Canada is in its process of development and defenceless, it may be used as a pawn in European combinations, and may be handed over to some other nation as a bribe for its neutrality or for its active intervention. This is a very important national question, and perhaps one of the most important problems with which we can deal. The other day a hurricane overtook the United States gunboats and torpedo boats in the vicinity of Bermuda. What was the object of that expedition off Bermuda? Can my hon. friend answer that? These boats were overtaken by the hurricane and took refuge in Bermuda. Why were they on the ocean in such inclement weather? They were measuring the radius of and influence of attack of torpedo and other destroyers on vessels coming through the Panama canal. Who owns those boats? Were those manœuvres carried on in the depth of winter for nothing? Is the attitude of all the nations harmonious? Are they looking at the development of Canada with philanthropic eyes? Are we never

to expect any disruption or any interruption of the amicable feeling which now prevails amongst the nations of Europe? These are object lessons which we have to face, which cannot be ignored.

With regard to the turmoil that has occurred in Quebec, I regret to say that designing people made use of the feelings of the people residing inland, and persuaded them that there was danger of injury and a prospect of conscription; that the peaceful farmers in Quebec would be dragged from their homes by conscription and pressed into the navy. There was no prospect that such a thing would occur, because under the modern system these people would be of no use in the navy. They might have been made to serve in the war of 1812, or in the conscription of France, when the whole population was decimated by the Napoleonic wars, but at the present time the navy requires trained scientific men who are used to their status, and each one fits into his place precisely, where he can be the most effective, and such a condition cannot be brought about in a day, nor can it be made effective by conscripts who would only be food for powder, and would be in the way of those who would be conducting a modern scientific battle. I agree with hon. gentleman that perhaps the Act which was passed was not worked out to the very best advantage. It might be altered or modified. I do not believe it should be swept away in its entirety, and I cannot agree with the hon. gentleman who has introduced this Bill, first of all on economic grounds, that we should not dismantle the material which has already been used, we should not destroy the establishment which has already been created, or undo the work which has been done up to the present, although it has been scoffed at by my hon. friend; secondly I cannot agree with this measure because it would leave the country defenceless, and thirdly I cannot agree with his Bill because we cannot stand independent of Great Britain, and we must throw in our lot with the old country. When they make their defence, which they will have to do against hostile nations, we must be with them, and by their side. Their flag is our flag. Their army is ours, and their navy is our navy. We must be part and parcel of the British Empire. The British Empire must defend us, and we must do our part to defend the British Empire.

Hon. Mr. BOSTOCK—This is a question which the people of British Columbia take a very great interest in. The people of that province for a long time wanted to see the navy pushed forward as vigorously as possible. There was some disappointment with regard to the action of the late government. They thought more progress might have been made. A few weeks ago a resolution was introduced in the local House and passed unanimously. That resolution reads as follows:

> Brewster moved seconded by McBride, that whereas Canada and the mother country are agreed that it is right and reasonable that all the partners in the empire should contribute towards the naval defence of that empire.
>
> And whereas the speedy completion of the Panama canal must enormously increase the shipping business of this coast, and whereas the government of Canada has decided that any scheme of naval defence to be effective, must be by co-operation with the mother country and the other parts of the empire: Therefore be it resolved that the Dominion government be urged that in view of the great importance for the immediate and adequate protection of the Pacific coast of Canada, the question of naval defence be considered at the earliest possible date.

I understand this resolution has been forwarded to the government here, and I presume the people of British Columbia are looking for an answer from the government of Canada as to what action they propose to take on the naval question. The question of defence on the Pacific coast is a very urgent one. We have for a number of years observed the result of not protecting the interests of our own country by the amount of poaching which has been carried on in the fishery business on the Pacific coast. It stands to reason if we do not show that we are prepared to protect and defend ourselves, we are liable to be attacked by any nation looking for territory. We are, of course, nearer to China and Japan, which are showing great activity at the present time, and are preparing to take a more progressive stand amongst the nations of the world than they have taken before. That

fact causes the people on the Pacific a considerable amount of anxiety as to what is going to be done in the future. They think at the present time that this government should go forward and adopt the proposal that was made by the Admiralty at the conference in 1909, of establishing a fleet unit on the Pacific coast, a unit that would combine with the units on the China and Australian coasts; and if there were a fleet of three strong units it would be of great service if any trouble arose in those waters. I agree with what has been so admirably said by the hon. gentleman who has just spoken on the question of the Panama canal, and the alteration of the situation on the Pacific, and I hope some action will be taken by the government immediately on this question.

Hon. Mr. MACDONALD (British Columbia), moved the adjournment of the debate.

Hon. Mr. BOYER—I should like to ask one question. Last November, Italy declared war against Turkey. Italy possesses a first-class fleet and Turkey has not a single vessel. Why should Canada not benefit by the sad experience which Turkey presents to-day, through having all her seaboard exposed to Italian vessels, and having her great seaports bombarded by the Italian navy? We all know that on land the Turkish soldiers are more than a match for the Italians, but we know that Italy now holds Turkey at her mercy. Should we not benefit by this lesson and equip Canada with a fair navy, so as to be prepared for attack in the future?

Hon. Mr. CLORAN—An attack by whom?

Hon. BOYER—By anybody.

The motion to adjourn the debate was declared lost.

Hon. Mr. MACDONALD (British Columbia)—When the hon. gentleman introduced this Bill, I thought it was a huge joke that a private member of this Chamber should try to break down the policy of the strong Liberal party, arrived at after deliberate consideration two years ago; and now that he is proceeding with the measure, I think he has been urged on by a faction of the Nationalist party in Quebec. There is a sort of mixed loyalty there. Some of these men will say, 'we are loyal to the empire, but we would not raise a hand in its defence.' What kind of loyalty is that? The only excuse offered for the present Bill is the stand taken by some of the Conservative party two years ago. The hon. gentleman from Grandville has presented the arguments of the opposition party at that time. Look at the attitude of the government now? The hon. gentleman knows that there is a conciliatory policy, to refer the matter to Great Britain. That is a wise suggestion.

Hon. Mr. CHOQUETTE—What is the attitude of the Conservative party on this question?

Hon. Mr. MACDONALD (British Columbia)—As far as I know, it is to consult with the imperial government on the subject. I believe they would be as willing as any other party to have a navy. It is necessary that we should do something in our own defence. We stand in an anomalous position. We find a faction in this country opposed to lifting a hand in defence of the British Empire. The hon. gentleman knows perfectly well that if this Bill should pass this House—which it should not do—it could not possibly be carried in the Commons. After due consideration, and a great deal of argument for and against, the Naval Act was passed. I should like to ask the hon. gentleman if he was in this Chamber when the Bill was passed two years ago? If he was, he voted for it and supported it, and now he gives no reason to repeal it, except that he is forced on by the National party to take this action. The Bill is not worth considering.

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

After Recess.

Hon. Mr. LOUGHEED—My hon. friend from Grandville has introduced a Bill intitled an Act to repeal the Naval Service Act, and which reads as follows: 'Chap. 43 of the Statutes of 1910, entitled an Act respecting the Naval Service of Canada is hereby repealed.' He now moves the se-

cond reading of the Bill to repeal the Act passed in May, 1910. At that session the late government brought down to parliament a policy for the organization of a separate navy. The attitude of the then Conservative opposition was, that, if Canada committed itself to a naval programme, it should be along lines of approximately united action with and the centre of control in the imperial navy. The view of the government of that day prevailed, and in pursuance thereof they brought down such a Bill, and the present Naval Service Act was passed. It's scope is very wide, and with the indulgence of the House, inasmuch as my hon. friend has moved for the repeal of that Act, I should like to intimate to this Chamber its comprehensive character. The Act provides for the organization of the Department of the Naval Service, which department is entrusted with the administration of the following services, Naval branch, Fisheries Protection, Wireless Telegraph, Hydrographic Survey, and Tidal Service. A department has been organized under this Act and is now administering these various branches. As hon. gentlemen who have looked into the Act, will know, it makes provision for a new branch of the public service, for a department complete in every respect, and comprehensive to the extent which I have mentioned.

The Naval Service branch itself comprises the maintaining of two ships, the 'Niobe' and the 'Rainbow,' bought from the imperial government and used chiefly as training ships. The dockyards at Halifax and Esquimalt, were transferred from the imperial government to the Dominion government on condition that they should be held for naval purposes, and maintained in an efficient condition. Under the Naval Service Act, these dockyards are maintained and administered by the Department of the Naval Service. There are in the employ of the government in these dockyards at Halifax, 182 persons, and at Esquimalt eighteen. It has also enlisted a certain number of men and boys for the naval service, and these recruits are being trained on the two ships, which I have already mentioned. A naval college has also been started at Halifax for the education of cadets who propose to become officers in the Canadian navy.

Then there is the fishery protection fleet branch of the service, which comprises eight vessels and 180 men. The vessels are occupied in protecting the off-shore fisheries of Canada.

Then there is the hydrographic survey, which has seven vessels in commission surveying the coast of Canada. The crew employed on these vessels number 186, and the survey staff comprises sixteen.

The wireless branch operates the government wireless station along the coast at British Columbia, the operation of the government owned stations between Montreal and the sea, which are operated under contract by the Marconi company.

Then there is the tidal service, which issues the tidal prediction and tide tables for the Canadian ports. That service has one vessel with a crew of thirty-one and some fourteen observers, and a technical staff of six. A summary of the employees of the naval service at the present time is as follows: Naval service, 967; fishery protection service, 178; hydrographic survey, 202; wireless, 30; tidal service, 50. Clerical staff at Ottawa, 41; a total of 1,462. The repeal of the Naval Service Act, without its being replaced by some other Act, would mean that all these services would be suspended, and would create chaos among the men who have been employed. So much for a short survey of the service rendered by this particular department. In October 1911 the present government came into office. Upon coming into office they found this branch of the public service, which had recently been organized, in full operation to the extent, which I have mentioned. They, therefore, came into office with an inherited obligation. Now, I need not say to hon. gentlemen that although the present government came into office in 1911, yet we recognize, under our governmental policy that different governments are not in reality different entities; the King's government always goes on, it is a continuous organization. Because one group, representing a political party, may succeed a group representing another political party, it does not necessarily follow that the public service of the country must become dislocated by reason of any difference of opinion in these two groups. There are responsibi-

lities to be borne, there are obligations to be met, there are public duties to be discharged, and it becomes the duty of one group succeeding another group, though of different political complexion, to perform these public duties, and to discharge the public obligations to the same extent as if that change had not taken place, this, of course, consistent with the adoption of a policy which will not create disruption of public affairs, and which would not create a paralysis, so to speak, of the body politic. My hon. friend from Grandville surely would not suppose that immediately the present government took office in October, 1911, and met parliament a few weeks after, they at one fell swoop, notwithstanding the opinions which they may have had upon the navy, and the divergence of opinion which they expressed as to the policy of the late government, should immediately have brought down a Bill wiping out without any provision this very important branch of the public service, and thus dislocating the public business which necessarily appertains to this branch of government.

As indicative of the opinions which the present government entertain as to this particular policy, they did see their way clear, without in any way interfering with the public service, without in any way repudiating obligations which had been properly assumed, to cancel a proposed contract for the construction of six vessels which would have approximately cost, if completed, in the vicinity of twenty millions of dollars. If my hon. friend should ask for evidence of good faith as to the present government carrying out the opinions of their party expressed while in opposition, I might point to that particular act of the present government as indicating that action dealing with this subject will be taken and full responsibility assumed by the government for whatever that action may be. There have been obligations entered into by the government of Canada with reference to this navy. Very great responsibilities have been assumed, and this government recognizes, quite as fully as the late government, that the credit of Canada has to be maintained notwithstanding the divergence in views which may be entertained respecting this great public question. My hon. friend has referred to the necessity of something being done at once. He has rebuked the government for not at an early date bringing down a Bill to repeal this Act. He has referred to the enormous cost which the building and the operating of this navy will involve. My hon. friend has fixed it at a sum, I think, approximating a hundred millions of dollars. If that be the case, then the greater necessity exists for deliberate and wise action being taken by the government of the day as to the policy which they will pursue in revising or reforming the policy to which the late government committed the country. The more important this question appears, the more important it is that the most deliberate action should be taken upon it. Permit me to say, with all due respect to my hon. friend, that the government of the day would be recreant to its duty, would be recreant to the responsibility which rests upon its shoulders, if it were to stand idly by and permit a private member to assume the responsibility of introducing and of carrying through parliament a Bill repealing and abolishing an important branch of the public service such as I have mentioned.

Some hon. MEMBERS—Hear, hear.

Hon. Mr. LOUGHEED—That view of the case must have already presented itself to my hon. friend. Under no consideration could the government relieve itself of the responsibility which attaches to it. At least, if that were done, my hon. friend must realize full well that it would lead to chaos and confusion. It would lead to a repudiation of all the obligations and responsibilities upon which the government of Canada has entered. The intention of the government is to give, during the approaching recess, full consideration to these questions. It will probably consult with the admiralty authorities in Great Britain as to how this branch of the public service can be made of most value, not only to Canada but to the empire; and after due deliberation, I have no doubt that before the next session of parliament the government will in the meantime have been able to give their very best considera-

tion to this very important question. It is to be hoped the government will then be able to bring down to parliament a policy upon this question that at least will command the confidence of the people of Canada.

Hon. Mr. DANDURAND—Do I understand from the hon. gentleman who leads this House that it is not the intention of the government to alter the Naval Act in any sense whatever during this session?

Hon. Mr. LOUGHEED—No.

Hon. Mr. DANDURAND—The hon. gentleman has stated that the opposition, during the last parliament, propounded a policy which tended to have Canada, in the matter of naval defence, work in closer co-operation with the mother country. He has not given any specific resolution or statement upon which to base that affirmation. We know that the policy of the then leader of the opposition was to offer some dreadnoughts to the admiralty, and to consult the people of Canada upon the policy of building a Canadian navy. The latter part of the policy expressed by the then leader of the opposition was in absolute contradiction of the resolution of March 29, 1909, which was unanimously adopted by the House. The hon. gentleman has not stated in what particular the naval policy of the late government is to be modified by the present government; but we all know that the principal attack of the opposition, led by the now premier, was urged against clause 23 of the Act, which reads as follows:

> In case of emergency, the Governor in Council may place at the disposal of His Majesty for general service in the royal navy the naval service, or any part thereof or any ships or vessels of the naval service, or officers and seamen serving in such ships, and any officers or seaman belonging to the naval service.

This clause was attacked by the then opposition as indicating a separatist policy, and it was urged that, instead of the government retaining the right to place at the disposal of the admiralty, in case of emergency, the ships of the Canadian navy, the day a declaration of war was made, that the Canadian ships should automatically go under the jurisdiction and authority of the British admiralty. My hon. friend says that the government will probably consult the admiralty as to the policy of be followed, as expressed by him in his opening remarks, which is to work in closer union with the mother country in the defence of Canada and of the empire. I am surprised to hear my hon. friend state that the admiralty will be consulted to that end, because the admiralty has already been consulted, not very long ago—just two years ago, and has in no uncertain sound declared its desires. I have heard it stated, and I have read in the Nationalist organ in Montreal, that since 1896 the British authorities had not expressed any decided opinion as to what the Dominions beyond the seas should do for the defence of the empire, and as to the role that those dominions should play. It seems to me that the memorandum of the admiralty, which was the basis upon which the whole discussion took place at the naval conference of 1909, is quite clear and precise as to the wishes of the British admiralty. We find in that memorandum that on March 18, 1909, statements were made as to the growing strength of foreign nations, by the Prime Minister of Great Britain, and the First Lord of the admiralty, on the introduction of the navy estimate for 1909-10; that following the statement of the Prime Minister and the First Lord of the admiralty, the dominions beyond the seas thought it their duty to answer the call. The memorandum proceeds to state what the dominions thought fit to do in answer to the statement made by the British ministers, and proceed to state what the admiralty thought desirable in the interest of the empire as a whole. The first proposition laid down by the admiralty was the following:

> If the problem of imperial naval defence were considered merely as a problem of naval stategy, it would be found that the greatest output of strength for a given expenditure is obtained by the maintenance of a single navy with the concomitant unity of training and unity of command.
>
> In furtherance, then, of the simple strategical ideal the maximum of power would be if all parts of the empire contributed, according to their needs and resources to the maintenance of the British navy.

This was the ideal policy; the one which was first suggested by the admiralty; the one which the then leader of the opposi-

tion, now Prime Minister of Canada, seemed disposed to support when he did offer to the admiralty some dreadnoughts as the first contribution of Canada to the defence of the British Empire.

This being contrary to the policy contained in the resolution of March 29, 1909, unanimously adopted by the House of Commons, the admiralty, when conferring with the representatives of the dominions beyond the seas, made an alternative proposition at one of the first sittings of that conference. I will read now from the report which was laid before the two Houses of parliament in England. It reads:

> The Canadian representatives explained in what respect they desired the advice of the admiralty in regard to the measures of naval defence which might be considered consistent with the resolution adopted by the Canadian parliament on the 29th March, 1909.

Hon. Mr. DAVID—When was that?

Hon. Mr. DANDURAND—This was at the Naval Conference of 1909, in which all the dominions beyond the seas were represented. This resolution of the 29th of March, 1909, excluding the contribution which was being asked or suggested in the memorandum which I have just cited, the admiralty proceeded to make the alternative proposition as follows:

> While on naval strategical considerations, it was thought that a fleet unit on the Pacific, as outlined by the Admiralty, might in future form an acceptable system of naval defence, it was recognized that Canada's double seaboard rendered the provision of such a fleet unit unsuitable for the present.

So that we have here the second alternative proposition of the admiralty, which was that Canada should maintain a complete fleet unit on the Pacific. This, being objected to by Canada, the admiralty then, recognizing that we had those two seaboards to defend, and recognizing moreover that we could only enter into a certain expenditure, suggested that certain ships be built and maintained on the Pacific and on the Atlantic. The admiralty suggested the building of ships, according to the amount that Canada was ready to spend for the beginning of our naval defence. We have, in the papers which were laid before both branches of parliament in England, the policy suggested by the admiralty. It is open to the present government, as it was open to the preceding one, to know exactly the wishes of the admiralty. They are contained in the report I have just cited. The late government thought that Canada should begin the defence of its own coast and ports by the building of its own navy in its own shipyards. It was a desire shared in by the opposition on the 29th of March, 1909, and it is the policy which was accepted by both branches of parliament in 1910. I find that my hon. friend still declares that the present government will stand by the policy that it propounded in opposition, and will consult the admiralty as to the best means of developing the Canadian defence and helping the British Empire. This is perhaps the third opinion which was expressed by the then leader of the opposition. I see—and my hon. friend may correct me if I am wrong—that the admiralty may probably be consulted according to its own statement, and probably not, but he has failed to tell us if, after the admiralty is consulted, the people will be consulted by referendum? I should like to ask him now if the government which he represents so ably in this House intends to lay before the people the proposition which the government may draft for a submission to the people of Canada by a referendum or plebiscite, after having consulted or not the admiralty? I suppose that my hon. friend has no opinion to give just now upon this question.

Hon. Mr. LOUGHEED—As I have said, the government does not propose at the present session of parliament, to say what course they will pursue upon this very important question. They will give every consideration to it during the recess, and next session of parliament will be able to bring down a pronouncement upon it.

Hon. Mr. DANDURAND—But there is no doubt in the mind of my hon. friend at all events—and I am perhaps repeating his own words—that the present government intends to stand by the policy laid down by the leader of the opposition, during the last parliament upon this question?

Hon. Mr. LOUGHEED—My hon. friend will have to wait until the next session of parliament.

Hon. Mr. CLORAN—By force of numbers, or by force of respect for the interests of the country, the country is entitled to know what the policy is to be.

An hon. SENATOR—When?

Hon. Mr. CLORAN—Right off.

Hon. Mr. LOUGHEED—My hon. friend will have to wait. He will have to possess his soul in patience.

Hon. Mr. DAVIS—Give them time to think.

Hon. Mr. DANDURAND—I am sorry that we cannot get more light on the subject, than it pleases the hon. gentleman to give us.

Hon. Mr. DAVIS—Ask him about the brass band.

Hon. Mr. DANDURAND—Apparently the government was formed without a policy being agreed upon by the diverse components of that cabinet. We went to the people on the 21st September with reciprocity as the main question. A section of the present cabinet tried to push backward that question in order to put in the forefront the naval policy of the late government. This effort was made specially in the province of Quebec. In fact, many of the most brilliant supporters of the opposition at the time favoured reciprocity. Some of the present cabinet ministers had doubtful views on the question of reciprocity, but the opposition, represented then by the three French representatives of the present cabinet, had no undecided view on the naval policy which should be followed by Canada. Their view was diametrically opposed to that of the then leader of the opposition, now Prime Minister of Canada. It was so absolutely opposed that not one of the three gentlemen who now represent the province of Quebec in the cabinet was willing to go on the platform with their now present leader, the right hon. the Prime Minister of Canada. That hon. gentleman came into the province of Quebec and held a series of meetings, but never had at his side any of the three gentlemen who now adorn his cabinet as representatives ofthe province of Quebec. While the hon. gentleman was holding meetings in the city of Montreal in a certain part of the city, some of his present colleagues were holding meetings elsewhere and denouncing not only the naval policy of the late government, but the views held by the then leader of the opposition, now the Prime Minister of Canada—denouncing them most forcibly, in terms as stern and as harsh as those which were addressed to the late premier. This was the situation throughout the province of Quebec up to the 21st of September. We are told on this day of February, 1912, after four or five months of joint administration and deliberation by those two groups, that no policy has been discussed or decided upon by the present government. What does this mean? It means that two questions were laid before the people on the 21st of September. One of them, that of reciprocity, was absolutely wiped off the board, because no further action needed to be taken by the parliament of Canada upon it. The people of Canada, on the 21st of September, settled for the time being, for this parliament at all events, the question of reciprocity. There remained but one important question, which loomed larger in the eyes and in the minds of the representatives of the Province of Quebec in the present cabinet than that of reciprocity; it was the naval policy of Canada.

And yet we are told to-day officially, that a cabinet was formed in October to which the present Prime Minister invited three representatives of the province of Quebec, and that these gentlemen entered the cabinet knowing that there was but one important question upon which action would have to be taken by this parliament. And they did enter the cabinet without asking the Prime Minister what would be his policy on the naval question, or if they could agree at all on any feature of that policy. I wonder if such a thing could be dreamed of in any other country but Canada? In any country where representative government obtains! A cabinet was formed when there was but one question which would have to be solved by this

government, composed of men who are diametrically opposed to each other on this very question. Although we have from the leading representative of the Quebec section a statement made by the Hon. Mr. Monk, when he went before his constituency to be re-elected as a cabinet minister. 'That the Prime Minister was really a gentleman because he had allowed him the privilege, or patronage, of selecting his colleagues,' this is all that we have had so far from the hon. gentleman. I have heard, of course, that when the same question was put to him in another place, he answered: 'The hon. gentlemen are there, and we are here.' We will await developments. We shall see if these hon. gentlemen can agree upon some kind of a policy. They are at the antipodes, but in the meantime, they will hold office. If my hon. friend expressed really the view of the government in the opening remarks which he made, and which will be found in 'Hansard,' then surely the Tory lion has swallowed the National lamb, for the hon. gentleman has stated that the policy of the then leader of the opposition and of the government of the day was that Canada should work in closer union in development of its naval policy with Great Britain.

The hon. gentleman from Grandville (Hon. Mr. Choquette) has asked, in view of the result of the election on September last, that those who did support the Naval Act for the reasons given at the time should now help him to repeal that Act. He may well say that there are a few counties where a majority has expressed against the naval policy. Perhaps they can be counted upon the fingers of both hands. That is all we have heard from the province of Quebec, which would justify my hon. friend in asking those who did support that Act to retrace their steps. I do not know to what extent the Naval Act has played an effective role in the other provinces. If it has played any part, it has been simply in support of the policy of the then leader of the opposition which asked that clause 23 be recalled, and that instead of 'may' the word 'shall' should appear, thus putting the navy automatically, when war was declared, at the service of the admiralty. The great majority at the back of the present government, in Ontario, perhaps, declared in favour of the policy of the then leader of the opposition that dreadnoughts should first be sent to reinforce the British navy. I do not believe that a very clear expression of opinion was had from the other provinces; and I am convinced that there are but few counties where perhaps a few hundred electors were influenced by this naval question in the province of Quebec. We of the Liberal party here stand, I think logically, by the principle which we aimed to establish, that of the unity of the empire based upon the autonomy of the Dominion, while we have reason to believe that the present government will be found supporting the contrary principle—the unity of the empire based upon concentration. We believe we were the true autonomist party during the last parliament, and when we went before the people as well, and we will stand by that policy this evening, as we shall at all times.

Hon. Mr. KERR—We learned this afternoon from the hon. senator from Victoria division (Mr. Cloran) that there are factions in the province of Quebec, and it was suggested that the hon. gentleman who introduced this Bill was probably introducing it in the hope that we would have the support of some of the factions who have been dealing with the naval question. I would like to know from the hon. gentleman who represents the government here whether there are any of the members of the present cabinet who may be said to represent these factions? I would like to know from him whether there are members of the present cabinet who may be said to be opposed to the naval policy as associated with British connection? I would like to know from him whether he can give us any information on this point? We have had a statement carefully prepared, evidently under the direction of the cabinet, on this question. I think it is due to this House, in view of the gravity of this question, that we should know and understand whether the hon. gentleman recognizes the description which was given of the factions in the province of Quebec, and whether they are represented in the present cabinet? I think that is a question which we are entitled to have an-

swered, and I think we ought to have the answer at once.

Hon. Mr. MACDONALD—It is a cabinet secret.

Hon. Mr. LOUGHEED—I may say to my hon. friend, that the government know of no factions as far as the cabinet is concerned.

Hon. Mr. KERR—Then there can be the less trouble and excuse for delaying and dallying with an important question like this.

Hon. MEMBERS—Hear, hear.

Hon. Mr. KERR—It is only excusable on the ground of there being differences in the cabinet. It is only excusable to any extent whatever, and that only to a very slight extent, because there are some members of the cabinet whom we are told, are opposed to any kind of a naval policy, and in fact who go so far as to say that they would even risk British connection rather than proceed with the establishment of a Canadian navy. If the only answer I can get is what the hon. gentleman has given, I am sure he will be courteous enough to say whether there are in the cabinet members with a declared policy opposed to the naval policy. If there are we ought to know it.

Hon. Mr. LOUGHEED—My hon. friend's curiosity is without limit, and I am sorry I cannot gratify it.

Hon. Mr. KERR—If the hon. gentleman does not know or cannot gratify, he does not say he does not know, but he says he cannot gratify it. I assume, therefore, he does know, and it is not policy to avow. Proceeding on that line, I have a word or two to say because I think this is one of the most disappointing situations that I have ever known since I have been connected with parliamentary life. We had a description of what the Act was from the hon. gentleman, but he forgot to say that the prime business of the Naval Act was the recognition and establishment of a naval service, and that naval service one in connection with and under the control and direction of officers of the British navy. It is not as if nothing had been done; a start was made and a very creditable start too, and the ships which were commissioned are officered by officers of the British navy. If ever there was anything which should have attracted Canadians, it is the treatment by Great Britain at the commencement of the Canadian navy, in which the command of the chief ship of the fleet was offered to a native born Canadian, and the son of an honoured member of this Senate. I think that has been overlooked by the representatives of the great loyal party. There is no necessity to explain the establishment of the Canadian navy. That has been made very plain by the hon. gentleman from De Lorimier (Hon. Mr. Dandurand). Surely if ever there was a time when a party should have been ready with a policy to propound, on which it could speak definitely, it is now, after coming from an election compaign, during which the chief subject for discussion, all through the west at all events, has been the 'old flag,' and British connection, and the Canadian navy. After all these months since October last the naval policy is left practically without a rudder. Under these circumstances it is not to be wondered at that the hon. gentleman from Grandville has introduced a Bill for the purpose of repealing the Naval Act. The hon. gentlemen of the government seem to have no more policy with reference to it, and hesitate in coming to a conclusion as to what they should say or do about it, but spend their time in hunting out where an unfortunate official can be discharged, and in issuing commissions by the score for the purpose of inquiring into the conduct of officials from one end of the country to the other. If they can do this, surely a little time could have been given to determine whether or not we are going to have a Canadian navy, directly connected with the navy of Great Britain. There being nothing from the government on this question, it seems to me that the 'old flag' is being no longer unfurled to the wind, but is now being thrown in the dust and put away to be taken out for election party purposes on some future occasion.

Hon. Mr. DAVID—What about the organization of the band?

Hon. Mr. KERR—The old flag has been thrown in the dust, to lie there until, for party purposes, it will be unfurled to hoodwink the electorate of this country as it was made use of in the last election. We have at last unmasked the fact that the party that talked and boasted of their loyalty throughout the length and breadth of this land have no British policy about them.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. KERR—We have unmasked the fact that those gentlemen who have been proclaiming their loyalty throughout the country have not grappled with the first question, and the most important question at a time when Britain was almost at the point of war with one of the most powerful nations of the world; when armies through out all the countries were disquieted and were being prepared for service; when the navies of two powerful countries are grappling with each other in the Mediterranean; and when we hear the sound of war in many countries and the talk of war in other countries. This is the time at which we are told, forsooth, that it is not necessary to prepare, or to have a policy, but we can spend our time fiddling with dismissals of public servants who have been faithful in discharging their duties, but unfortunately belong to the wrong party.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. DAVIS—But we have got the brass band.

Hon. Mr. KERR—I think it is a sorry day for Canada when the leader of this House from his place in parliament, speaking on behalf of the great Conservative party now in power, is obliged to rise and say: 'We have no policy, we have not determined what we are going to do; we have to admit that there are diversities and different entities in our government; we have to admit——

Hon. Mr. LOUGHEED—No. Will my hon. friend be good enough to retract that remark? I did not make any such statement.

Hon. Mr. KERR—I may have misunderstood the hon. gentleman. I thought—

Hon. Mr. KERR.

Hon. Mr. LOUGHEED—My hon. friend must know that I have absolutely denied any such thing.

Hon. Mr. KERR—I understood my hon. friend to say that there were differences and different entities——

Hon. Mr. LOUGHEED—No.

Hon. Mr. KERR—Which went to form up a party and a cabinet.

Hon. Mr. LOUGHEED—No, my hon. friend entirely misapprehends what I said. I made no such statement. I spoke of governments as entities, not individuals who compose the governments.

Hon. Mr. KERR—I beg the hon. gentleman's pardon. I thought he said—I certainly understood him to say—if the hon. gentleman didn't mean to say it I will withdraw it, of course.

Hon. Mr. LOUGHEED—Certainly.

Hon. Mr. KERR—I certainly did understand the hon. gentleman to speak about the differences there were in men and the different entities in governments.

Hon. Mr. LOUGHEED—No, no. I spoke of governments as entities.

Hon. Mr. KERR—If the hon. gentleman does not say so, then I withdraw it; but whether he made the statement or not we have got the fact.

Hon. Mr. LOUGHEED—Well, the hon. gentleman can make his own statement.

Hon. Mr. KERR—Whether he made the statement or not, we have got the fact also that there are factions, and those factions have been warring with each other, and on that account the government has not been strong enough, has not been brave enough, has not been courageous enough, has not been loyal enough to bring down a policy on this important question.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. KERR—The hon. gentleman laughs, but I think the people of this country are not disposed to put up with a laugh on this subject. I can say to him that the people of this country are in earn-

est about this matter; and that the great majority of them have to-day got their eyes on the cabinet as formed to-day, and they have great suspicion about some of the members of the cabinet, and their loyalty and their desire to serve the empire—and the course that has been pursued by the government I think engenders that belief. All that has been said here to-night, and the statement that has been read, confirms the judgment of the people of the country respecting the attitude of the country. I say it is a sorry day for Canada when the leader of the House, on a question of this kind, with a Bill before him for the repeal of the Naval Act, is not able to give a reason why that Naval Bill should or should not be repealed.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. KERR—In these circumstances we are left to decide upon a measure which I think it will not take long to dispose of, because the people are satisfied with what has been done so far under the Naval Act, and with the approval which it has received at the hands of the British government, who have expressed themselves so warmly as being satisfied with the course of the late government in that respect. I think we are entitled, before this question is disposed of, to have a more explicit statement with reference to whether there are differences in the cabinet on this naval question or not—whether there are differences of opinion among its members or not, and whether there has been any attempt to deal with this question, or whether it has been simply shelved?

Hon. Mr. ELLIS—As I do not intend to vote for this proposition, I wish to make a few observations upon it. I do not think we can, with any regard for the public welfare, at the present moment, pass any Bill which would destroy the work that has so far been done; because, while the hon. gentleman who has just spoken is exceedingly anxious about the credit of Canada as regards its loyalty, what would be the effect to-morrow morning throughout all Europe if it were announced that this branch of parliament had passed a Bill to repeal the Navy Act, and that we had abandoned the mother country? Every part of Europe, from the North sea to the Mediterranean, would ring with such an announcement. Every newspaper in Germany would spread it forth in the most striking headlines, that Canada had cut off its support to the empire, and that is what the enemies of England would want. I have never had very strong opinions on the question, either one way or the other. I am not sufficiently informed as to what the views of the Canadian people are on this question of how we can best meet the obligations which are undoubtedly upon us; but it is clear that the late government of Canada adopted a certain policy which they pursued and which in time, no doubt, would have worked out well. I observe that the present government are building dry docks at St. John for the purpose of taking care—at least it is so alleged by people who are supposed to be well-informed—of the war vessels coming there; so in view of that I do not think there is any great need to repeal the law. But I do think, in view of the general conditions before the world to-day, that we ought not to abandon England, as the effect of this measure would be so far as public opinion is concerned.

Hon. Mr. LEGRIS—I think it is my duty to say just a few words on this question. When the Naval Bill came before this House two or three years ago, I opposed it as strongly as I could, because the policy of the Liberal party up to that time had been the very opposite of the policy then announced by the government. The question had never been before the country. So far as the resolution of the 29th March, 1909, is concerned, the electors had never heard a word of such a policy and I thought it was not proper to impose on the shoulders of the people a burden of many millions of dollars without giving them an opportunity to express their views on the question. We know that the Prime Minister of that day had qualified such a policy as a crime, and held that the millions which the adoption of such a policy would have involved would be better spent in the construction of immense public works in this country. For those reasons I opposed that policy then; but now we have the law on our statutes, and it is quite impossible to

repeal it without replacing it by some other provisions. I think, also, that my hon. friend from Grandville, who has moved the second reading of this Bill, should not be in such a hurry. He can wait until another session. The reasons given by the leader of the House are quite satisfactory to me and I am willing to wait until next session and judge the policy then put forward by the government on its merits.

Hon. Mr. DOMVILLE—Having some little stake in the country, and supposed to be a representative of public opinion, not tied down to any individual personalities, and not able to make any mark by rehetoric or strong views as to what one party or another party in the country did, with which I have nothing to do, I have but one point before me, and that is Canada, as a part of the British Empire. The question is what is our duty? The government took one view; possibly they were forced into it. They expressed their intention to aid the imperial power all over the world. If the government are not going to take any action, why dont they speak out, and say that they do not want to have anything to do with England? Let them stand by the nation or drop out; there can be no shilly shallying. The people have put the government in power, and the government is responsible for the action it takes. They are Conservatives, or Tories, whatever you may choose to call them. I was a Tory myself, until I was seduced into the Liberal ranks, and I would not hesitate to go back if I thought their policy was in the interest of the country. I have still an open mind. I hope the Senate will view this matter without bias and without being influenced by the party press of the country. The question is more important than party affiliations. What is the duty of Canada for the hour? We see by the press that millions of dollars are being sent to Canada for the Grand Trunk Pacific or the Canadian Northern railway. Has England not a right to say: 'If we are sending our people to Canada and remitting our money to Canada, to build up the nation, Canada should assume her share of our burdens in some way or another.' Do not bring up the question of nationality. My hon. friend was attacking the Cabinet and referring to differences among the ministers. The members of a cabinet are sworn to secrecy, and my hon. friend, the leader of the government here, is not supposed to divulge cabinet secrets. We should not endeavour to draw him out. Probably by next session the government will have thoroughly considered the question of their duty in this matter. Are we to abandon England? Are we to say that because we are a small nation with a small amount of money, we are going to do nothing? The idea is absurd. The late government did what they thought best. We should look at the matter from the standpoint of Canada and should not talk of French or English. We must be united, and must remember that we are imperial to the core, and must take our part in the defence of the empire. The government of the day may be right, and the building of battle ships in Canada may be ridiculous. We may build merchantmen. I think the government would be justified in bringing down a measure to implement the construction of iron ships. We had in the past a wooden navy in St. John, but it has disappeared. We cannot build men-of-war in this country at present. New engines have lately been invented. These vessels are worked by internal combustion engine and they use oil. They would destroy the old ships quite easily but if the government want to capture votes in St. John all they have to do is to announce that they are going to build ships and they will be sure of election. It will be time enough for us to criticise when the government bring down their policy, if it is opposed to our rendering assistance to the empire. In the meantime we should reserve our decision.

Hon. Mr. ROSS (Halifax)—If I understand aright the policy of the government as expressed by the leader of this House, it is that the government have as yet no defined policy as regards the navy, and that in the meantime they will correspond with he admiralty at home, and next session will present their policy. I do not think the hon. gentleman himself is opposed to the building of a navy at all, and I am not at all satisfied that the policy will be to abandon the proposition to build a navy. It is out of the

question to say that we cannot build a navy in Canada. We have steel works down in Sydney which would furnish most of the material required in the construction of ships, and, after they are constructed we shall have cargoes ready for shipment to any part of the world. I hope the government will be prepared next year with a matured scheme for the construction of a navy. I am afraid that at the present time there is a lack of harmony in the government in that respect, and that some of the members of the cabinet are opposed to the building of a navy under any condition.

Hon. Mr. CHOQUETTE—The country is looking to the men now in power, to announce that they will fulfil their pledges to the electorate, or to state that they will refuse to do so. In order to cover his retreat, my hon. friend has just read to the House a statement to the effect that if this Bill were repealed it would disorganize completely the fisheries fleet, the hydrographic survey, the Marconi service, and would throw out of employment fourteen hundred servants. Does the hon. leader of the House believe such a statement? All that is necessary to be done is to recall the Naval Act and put a stop to all the expense which the hon. gentlemen have hitherto condemned as absolutely useless and detrimental not only to the country but to the empire. If my hon. friend thinks that a Bill of this character should not be introduced by a private member, I am quite willing to let him take the Bill, amend it, and improve it, and put it in such a shape that it will fulfil his promise and satisfy the country that his party have not come into power under false pretenses. I speak in earnest, not merely as a senator, but as an elector of this country, which has had some faith in the promises of hon. gentlemen on this question, and I am ashamed to say now that, on one question. I kept company with them, thinking they were manly enough not to leave me alone on a question which is of such vital importance. This is not a trifling question. When the Naval Bill was before the House they proposed a policy of their own. First they said that it was no good at all. In a general way, they stated that it would be of no benefit to this country, or to the empire; and secondly, they stated that, whether the policy were good or bad, it should be submitted to the people before being adopted. My hon. friend speaks for the Postmaster General, the Minister of Public Works, and the Minister of Inland Revenue, each of whom denounced the present Act. If they are willing now to accept the proposition of the leader of the government that the Naval Bill did not go far enough we could understand it. If they wanted a plebiscite, perhaps we could wait; but when I see my hon. friend, speaking in the name of all his colleagues, the Minister of Public Works, and the Postmaster General, I naturally ask what promise have they made to the Prime Minister, or what promise has the Prime Minister made to them? Because they do not intend to do anything they do not propose to resign. When the Postmaster General went back for re-election, he stated that a plebiscite would be taken. We, at least ought to know, because the law is on the statute-book, and the promise was made, that the plebiscite would be taken. Is the government, with the consent of the French ministers, willing now to renounce the policy of submitting the Bill to a plebiscite or repeal the law? We have a right to know that, and if the government do not know what to do, they do not deserve to be where they are, and are occupying their positions under false representations.

My hon. friend said that they are to continue in some way the policy of the late government. Will they continue the policy of the late government because they have done the best they could. On the Ne Temere question, which was in no special hurry, they put aside the policy of the late government. The Minister of Justice of the late government gave an opinion that that was a matter for the provincial government; but my hon. friend, acting I suppose on the voice of Ontario, has put aside that opinion and goes before the court. Why? Are they obliged, or have they decided to continue the policy of the late government on the naval question, which was so bad, so in-

iquitous, so contrary to the interests of the country and the empire? They do nothing about it at all. They dismiss officials and appoint a lot of commissioners to investigate the service so that they can earn some living. They are satisfied; they are laughing at the public; they are laughing at the electors; they keep their place, and say: When we will be prepared to do something we will do it. You are there, and we are here. I do not think that they will stay long in office. Under the circumstances, I think this House and the country have a right to expect something more than that. I will venture to look into the daily press to-morrow, especially into the 'Devoir,' and see what it will say about the position of the government. I am anxious to see what Mr. Bourassa, Mr. Lavergne, and all those Nationalists who were partners with the hon. gentleman in fighting the Liberal party,—I am anxious to see if they will now fight the policy of this government, for the partnership will be dissolved. The government will say to those people follow or get out. Not later than a few days ago, 'Le Devoir' had an article signed by Mr. Bourassa who did more than anybody else to put the present government in power, and that they ought to have some respect for his opinion, saying that the Naval Act was bad and that it should be repealed 'Delenda est Cathargo.' Now we will see what it will say to-morrow. I will see if the explanation or the silence of my hon. friend will satisfy him as it satisfies my hon. friend from Maskinongé. Perhaps there are some inducements to wait, I don't know what they are; but I am anxious to see to-morrow what the Nationalist party who have been fighting this battle, will do. As far as I am concerned, as an elector of this country who has been deceived, I shall expect an answer, and will try to have it one way or the other. As I said this afternoon, if I had my own way I would find an easy means to get an answer, or I would send those gentlemen back to the people and have them declare their policy. Under the circumstances, I am not going to withdraw the Bill; but will insist upon a vote.

The Senate divided on the motion for the second reading of the Bill, which was rejected by the following vote.

Hon. Mr. CHOQUETTE.

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Hon. Mr. CHOQUETTE—I remark, Mr. Speaker, that you did not vote. You have a right to vote.

The SPEAKER—I vote against the motion.

SECOND READING.

Bill (No. 61) An Act respecting the Gatineau and Ungava Railway Company, and to change its name to The Ottawa and Ungava Railway Company.—Hon. Mr. Tessier.

Bill (B 2) An Act to incorporate the Montreal Transcontinental Railway Company—Hon. Mr. Beique.

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

THE SENATE.

THURSDAY, February 29, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (O 2) An Act respecting the Subsidiary High Court of the Ancient Order of

Foresters of the Dominion of Canada.—Hon. Mr. Power.

Bill (P 2) An Act to incorporate the Grand Lodge of the Loyal Order of Moose in the Dominion of Canada.—Hon. Mr. Power.

PEACE CENTENNIAL CELEBRATION.

INQUIRY.

Hon. Mr. DAVIS inquired:

1. Is the government aware that a committee has been organized in the United States to arrange for the celebration of the anniversary of one hundred years of peace amongst the English-speaking people?
2. Has the government had any communication from the said committee? If so, what is the nature of the correspondence?
3. Is it the intention of the government to take part in aforesaid celebration? If so, what action will be taken?

Hon. Mr. LOUGHEED—This subject has not yet reached such a stage as to enable me to give a satisfactory answer to the questions. I should be very glad if my hon. friend would repeat his inquiry at some later date, when possibly the question will be somewhat more advanced.

The notice was allowed to stand.

RAILWAY MILEAGE WEST OF LAKE SUPERIOR.

INQUIRY.

Rt. Hon. Sir RICHARD CARTWRIGHT inquired:

How many miles of railway were in operation on the 1st of January, 1912, west of Lake Superior, and how many in same region in course of construction?

Hon. Mr. LOUGHEED—If my hon. friend would desire it I could give him the number of miles both east and west of Lake Superior?

Rt. Hon. Sir RICHARD CARTWRIGHT—Do that.

Hon. Mr. LOUGHEED—Then the answer is: There were, on the 1st of January, 1912, about 11,280 miles of railway west of Lake Superior, and about 14,800 miles east of Lake Superior officially regarded as being in operation. On the same date there were about 4,800 miles of railway officially regarded as being under construction west of Lake Superior, and about 2,200 miles east of Lake Superior.

THIRD READING.

Bill (No. 19) An Act to amend the Inquiries Act.—Hon. Mr. Lougheed.

CRIMINAL CODE AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED—The purposes and effect of this Bill are to extend to the harbour and coast waters of British Columbia the provisions already contained in the Criminal Code with regard to fraudulently appropriating timbers, &c., such as are found adrift or cast ashore on the banks or beaches of rivers, streams or lakes in Canada. It furthermore gives to the marks affixed under the British Columbia Timber Marks Act the same effect of constituting prima facie evidence of ownership as is by the law as it now stands, attributed to the marks registered under the Timber Marks Act. It appears that there is a great deal of fraudulent appropriation of timber floating in these British Columbia waters, and, at the instance of the lumbermen of British Columbia, it has seemed advisable to amend the criminal law to give them the protection that the Bill proposes to afford.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does the hon. gentleman remember what the penalties are?

Hon. Mr. LOUGHEED—The first clause of the Bill reads:

Every one is guilty of an indictable offence and liable to three years imprisonment, &c.

Of course that would be the maximum punishment.

Hon. Mr. CLORAN—Judges are sometimes severe.

Hon. Mr. LOUGHEED—In all cases we fix a maximum penalty, the imposition of which we have to leave to the discretion of the court.

Hon. Mr. POWER—There is, at any rate, one feature is this Bill which deserves a little consideration. One can readily conceive that a log of timber may become almost a nuisance in front of the land of a riparian owner. It might be just in front of a factory, or something of that sort, where it would be an obstruction which should be removed, and there should be some qualification of the provision of this

Bill, so that if a man innocently removes a log of that kind he shall not be liable to any penalty. There should be an option of paying a fine. To have no penalty, but imprisonment for an act, which may really be comparatively harmless, is going rather far.

Hon. Mr. LOUGHEED—I have looked into the statute, and find that it makes no change in the penalty which may be imposed for violation of the Act. The present law for a similar class of offences gives authority to the court to impose the same penalty of three years imprisonment for violation of this provision. Of course, such an offence would have to be feloniously committed.

Hon. Mr. DAUDURAND—The clause itself begins with the word 'fraudulently'.

Hon. Mr. CASGRAIN—Does the Bill define the character and size of the log? Many people living on the St. Lawrence depend for all their fuel on driftwood, and the size of the log should make a difference. Of course, it is for the legal gentlemen in this House to elucidate the point. If a log is drifting down the St. Lawrence below Quebec, and people save that log, bring it ashore and cut it up for fuel, that should not be an offence. A great many people gather their fuel on the shores of the St. Lawrence every year. Would these people come under this Bill? I have gathered driftwood myself.

Hon. Mr. OWENS—You can gather driftwood so long as it is not marked; but it is a felonious act to take possession of any logs stamped with the mark of the registered owner. Very many instances similar to the case referred to by the hon. gentleman from Halifax have arisen. A log will come up in front of a house, or on the grounds of a private citizen, and all you can do is to roll it into the water. If you move it away, or cut it up for fuel, you are liable to be brought up under the Act.

Hon. Mr. DAVIS—I am not so sure that you would not be liable for rolling it into the water under this Act.

Hon. Mr. OWENS—No, because that is the highway for it.

Hon. Mr. DAVIS—My hon. friend says that the log is supposed to be marked. There is nothing in this Bill which says so. One man might claim to be the owner of a log and dispose of it to another, and if the party selling the log did not prove to be the owner, the purchaser would become liable.

Hon. Mr. OWENS—He is not liable unless it is marked. The marks are all registered, and recourse can only be against parties taking logs which are marked.

Hon. Mr. DAVIS—I do not interpret this clause in that way. If a man takes possession of a log, even if it is not marked, under this clause he would be liable.

Hon. Mr. CLORAN—From a criminal point of view, I look on this as a one-sided question. Logs that are not marked may drift down the river, and may be lodged on my property. Such a thing has occurred for sixteen years along a mile, or three-quarters of a mile, of river shore on the Ottawa. The logs drift upon the rocks, and what law is going to force me to take a team of horses and drag them back to the water so that they may float? If they remain on my property and I take them I will be held liable. They have no right on my property at all, and it is up to the lumber firms, and not the individual to see that they float down the stream. The penalty is all in favour of the lumberman and against the individual owner of lots along the shores of lakes and rivers. This law, as far as it goes, may be correct, but it does not go far enough, because it does not protect the rights of the individual owners of lots along the shores of lakes and rivers. It is not fair to compel private individuals, whether they be farmers, cottagers or sportsmen, who own property on the shores of lakes or rivers, to haul logs from their shore and dump them back into the lake or river; yet if they keep them there they are liable, under this Act, to prosecution. That is not a fair proposition. The hon. leader of the House will understand what I mean. There is no authority to compel an individual to dump back logs that have drifted on his land. The logs come down and in some cases remain on the land all summer, and become dry and

rotted wood. If the owner of the land uses them, he is liable to prosecution, and to three years in the penitentiary. True, the hon. leader of the House says that a man convicted under such circumstances will not get three years. It is in the discretion of the court; but the hon. leader of the House, as a lawyer, knows that judges frequently give the extreme penalty of the law without any reason. That thing does happen, especially in murder cases. Not later than last autumn, in one of the counties on the St. Lawrence river, a verdict of murder was brought in against a man, and the jury made a strong recommendation to mercy, expecting that the prisoner would get one or two years, but what happened? The judge on the bench ignored the recommendation of the jury, and sentenced the poor old man, the reeve of the county, to penitentiary for the balance of his life. These are things that parliament should provide against, and I insist again that the law should be made so clear, and so precise, that the judges on the bench shall have no right to interpret what parliament means. Let parliament say what it wants to say. We have had the case I have just referred to, and it is a standing outrage on justice to see that old man, a reeve of his county, 75 or 80 years of age, condemned to penitentiary for life, when the jury said he should have all the clemency the Crown could exercise. Coming back to the subject under discussion, I am not going to find fault with the provisions on behalf of the lumberman, but the Bill should contain a clause to protect individual rights. The leader of the House, as a man having a legal mind, and a man who is familiar with the criminal courts of this country, knows that sometimes an offender can get fair play, and even clemency, while at other times he will get the most rigorous treatment. I know that the hon. leader of the House will endorse most of what I have said.

Hon. Mr. DANDURAND—The hon. gentleman has repeated often in this Chamber that clauses should be made so precise that by no possibility would the law be misinterpreted. The hon. gentleman knows that Acts have been made very clear, and that the Civil Code has been made very clear, and copied mostly from the Roman laws, and yet the very same article has been interpreted differently by different tribunals. There are one hundred things cropping up which show different aspects of a case, and that leads to litigation, so that the very same article may be interpreted differently one hundred times. Of course, the duty of the legislature is to try and make the laws clear, but so long as there are two men on this globe there will be difference of opinion as to the language used in legislation.

Hon. Sir MACKENZIE BOWELL—There can be no doubt that the principle upon which this law is based is correct, that is, to prevent the stealing and appropriating of property which does not belong to parties who take it. But there is the question, to my mind, as to how far this Bill will reach cases where timber has lain for years in the bottom of a lake or river, as has occurred and does occur, particularly with the heavier kinds of timber. Take logs of oak, for instance many of them, after lying in the water for a short time, sink to the bottom. There are many cases where such logs have lain for years, having the distinct mark of the owner upon them. People who are fishing, or for other reasons, hunt them up and take them ashore. How far would this law make it a penal offence in cases of that kind? That is a point that is worth considering. Would a person who would fish them up and bring it ashore be liable under the law?

Hon. MEMBERS—Yes.

Hon. Sir MACKENZIE BOWELL—If the law applies only to cases where timber has been intentionally and fraudulently removed, there could be no harm in it; otherwise, there should be some protection for such cases as I have mentioned.

Hon. Mr. POWER—I would suggest to the hon. leader of the House that it would be well that the provisions of this Bill should be confined to logs which are marked.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—May I point out to the House that this is the principle of

the law as it stands to-day. The provisions of the Bill have in contemplation an extension of the law, as it stands to-day, to the waters of harbours and sounds and streams such, for instance, as the local conditions present on the long coast of British Columbia. The present law, as well as the law involved in this Bill, only refers to logs that are found adrift or cast ashore, and so the law would not apply to sunken logs. It seems to me we could very much more advantageously discuss this in committee, and I should be very glad to have the fullest discussion of the measure in Committee of the Whole.

Hon. Mr. EDWARDS—I think this Bill would apply, without question, to sunken logs, but it could not apply in any sense to unmarked logs. No lumberman would claim an unmarked log; it is the property of whoever gets hold of it; there is no question about that.

Hon. Mr. DANDURAND—Of course this law is not a new one, and there is a safeguard which appears from the first word of the article—'Every person is guilty who without the consent of the owner thereof fraudulently takes, holds, keeps in his possession, collects, &c. This law has been in operation for years, I do not know how far back it dates, but I am quite sure that it is a very wise one, and we are now simply seeking to extend it to British Columbia, as I understand; so my conviction is that no one can suffer from the passing of this law if he is acting in good faith.

Hon. Mr. CLORAN—I would like to ask the hon. member from Russell (Hon. Mr. Edwards) whether he thinks that logs properly marked which drift on the land of any individual along a river, or lake shore, are to be taken off by the owner of the logs, or to be cast back into the lake or river by the individual owning the land? It cannot be his duty to cast those logs off unless he is paid for it; and how long are those logs to remain there before they become a nuisance and he has a right to dispose of them?

Hon. Mr. EDWARDS—I am sorry I am unable to answer the question; it is a little beyond me. I have never known a case where such a condition was involved. It is true that logs drifting down a river stick along the banks, and as the water falls they may be on the property of the proprietor of the land. It is my opinion that the owner of the land might require the owner of the logs to remove them, or prosecute him for not claiming his property.

Hon. Mr. THOMPSON—That is true so far as the river St. John is concerned, because logs get all over the islands in the river and remain there, and the owners would be liable for damage to a man's grass land if they were not removed, and the owner would be liable for damages caused by their removal. No man would have the right to use an unmarked log that would come down the river St. John and get on his land, it would pass into the incorporated booms and become the property of the joint lumbermen and be sold for their common benefit, and the proceeds divided between the operators. There are thousands of feet of logs unmarked that come into the river from operations by negligence and carelessness. A man living along the bank of a river would be liable to be prosecuted if he took an unmarked log and cut it up and used it for his own purpose.

Hon. Mr. EDWARDS—While the statement made is quite true, perhaps, as applied to the St. John river, I know that on the Ottawa river it is the custom that an unmarked log cannot be claimed by anybody. It is the practice, however, in so far as lumbermen's operations are concerned, to allow these logs to go into the booms and they are separated and each lumberman gets his share of the unmarked logs. I would like to ask this question: if an unmarked log should go into possession of such an individual as has been mentioned, who could take the action against the individual holding an unmarked log? No one could claim that it was his; therefore, how could any one take action? It would be absolutely impossible. What is held on the Ottawa river is that if a lumberman overlooks marking a log he cannot claim the property, because he cannot designate it as being his property.

Hon. Mr. DAVIS—In passing legislation of this kind that must be interpreted by magistrates, who are generally not lawyers. it is wise to make the language as plain as possible. We are now legislating for the whole Dominion, not for the Ottawa river, where some of our hon. friends have limits. I have in my mind a stream on which two parties are doing business. One party brands his logs; the other does not. Now, unless there is something specified in the Act. we do not know whether it covers unmarked logs or not. It is very easy to add the word marked;' make it plain, and then the magistrate will have no difficulty in interpreting the law.

Hon. Mr. LOUGHEED—When the Bill goes before the committee, we can discuss it to better advantage than at the second reading.

The motion was agreed to.

BRITISH CANADIAN LOAN AND INVESTMENT COMPANY BILL.

SECOND READING.

Hon. Mr. BELCOURT moved the second reading of Bill (C 2) an Act respecting the British Canadian Loan and Investment Company, Limited.

The motion was agreed to.

Hon. Mr. BELCOURT moved that the Bill be referred to the Committee on Miscellaneous Private Bills.

Hon. Mr. POWER—I rise to a question of order. Under the rules of the House, this Bill should be sent to the Committee on Banking and Commerce, and I ask the Speaker's decision.

Hon. Mr. CLORAN—Will the hon. gentleman say why?

Hon. Mr. POWER—The uniform practice has been to send Bills respecting loan, investment and insurance companies to the Committee on Banking and Commerce.

Hon. Mr. BELCOURT—I do not believe there is any such rule.

Hon. Mr. GIBSON—That is the practice.

The SPEAKER—Rule 78 refers to the committees of the House; but I do not see anything in the rules requiring that a particular Bill shall go to a particular committee. At all events, I will leave the matter to the House.

Hon. Mr. POWER—I move in amendment that the Bill be referred to the Committee on Banking and Commerce.

Hon. Sir MACKENZIE BOWELL—There can be no question as to the practice and precedent of this House upon questions of this kind, and if there is any good reason why we should depart from practice and precedent, the mover of the resolution should inform the Senate of it. Where there is no rule to govern us, we always act upon practice and precedent.

Hon. Mr. BELCOURT—I have had some experience in the House of Commons, and the practice in that Chamber is to send Bills of this character to the Committee on Miscellaneous Private Bills. I have not been long enough in this Chamber to speak with authority in regard to the practice. I have no particular reason for sending it to one committee more than another, except that I have found it rather strange in this House that Bills of this character should be sent to the Banking and Commerce Committee, which already has quite enough work to do. My idea all along has been that the Private Bills Committee in this Chamber has been ignored altogether too much. The Senate has not taken the advantage it should have taken of that committee. That is my only reason. This committee meets two or three times during the session, and very few Bills are referred to it.

Hon. Mr. POWER—They meet much oftener than that.

Hon. Mr. BELCOURT—This is not a banking or insurance Bill. It is simply a loan company, and I see no reason why it should not be sent to the Private Bills Committee. The practice in the House of Commons is entirely different.

Hon. Mr. GIBSON—In discussing Bills of this kind in committee, the officials of

the Finance Department and Insurance are always in attendance. Naturally they expect that when the Bill gets its second reading it will be referred to the committee at whose meetings they are always present. You might as well refer this Bill to the Divorce Committee, because they have not much to do.

Hon. Mr. BELCOURT—Is it any more difficult for the representatives of the Finance Department to attend the Committee on Private Bills than it is to attend the Committee on Banking and Commerce?

Hon. Mr. GIBSON—Except that we have the rule and we should abide by it.

Hon. Mr. BELCOURT—We have no rule.

Hon. Mr. GIBSON—Yes, I never saw a Bill of this nature, during the time I have been in the House, referred to any other committee than that of Banking and Commerce.

Hon. Mr. CHOQUETTE—As seconder of the motion of my hon. friend to the right (Hon. Mr. Belcourt) I feel inclined to take the view that he takes on this matter, that it is a private Bill. I do not see why he should be compelled to send the Bill to any other committee. As I understand, the Committee on Banking and Commerce deals with matters of Banking and Commerce, and things of that kind. We have a Private Bills Committee, and this is a private company, and I see no reason why a Bill of this kind should not be sent to that committee. I have an open mind, and if my hon. friend will move an amendment and will give good reasons why the Bill should be sent to another committee, I may vote with him; but supposing there is no rule here, then I see no reason why this Bill should not go to the Private Bills Committee. That committee will be responsible and can take care of this Bill. If there is a rule compelling this Bill to be sent to the Committee on Banking and Commerce, then, of course it should go there. The Private Bills Committee is just as competent to deal with this Bill as the Banking and Commerce Committee.

The SPEAKER—I stand in this position: a motion is made by the hon. member from Ottawa (Hon. Mr. Belcourt) asking to refer the Bill to the Private Bills Committee. His motion is in order, if it is not against one of the rules. If it is against one of the rules, I would ask the hon. gentleman to find the rule. Otherwise I will put the question as it has been moved. The hon. member from Halifax (Hon. Mr. Power) moves an amendment that this Bill be referred to the Banking and Commerce Committee. It is for the House to decide.

Hon. Mr. CAMPBELL—It is the right of any hon. member of this House, if he so desires, to have a Bill referred to any committee that he likes, notwithstanding that it has been the practice to refer such Bills as this to a certain committee. When you look at the character and title of the Bill, one must come to the conclusion that it is a Bill for the Banking and Commerce Committee to deal with. They are charged with that particular work. Anything relating to banking, insurance companies, lending money, or anything of that kind, and also investing money, should go to that committee. The British Canadian Loan and Investment Company is the title of the Bill, and certainly a Bill of that character ought to go to the committee that has charge of that particular class of work. It is to amend the Act as follows:

> The company may purchase or otherwise acquire, sell, lease, mortgage, exchange, or otherwise dispose of real estate of any tenure and may deal with the same in any way calculated to enhance its value.

We would have to see what this meant, and what powers were granted under the old charter. I think I am right in saying that it was the Banking and Commerce Committee that first reported on the original Bill, and therefore it is only natural that this amending Bill should be referred to the same committee.

Hon. Mr. BELCOURT—The Act was passed in 1876

Hon. Mr. CAMPBELL—The hon. mover of the Bill has not given any reason why it should be referred to any particular committee, and unless he has some special reason the Bill should certainly go to the Banking and Commerce Committee.

Hon. Mr. DAVID—I find that in 1891 this company's Bill was referred to the Committee on Banking and Commerce.

Hon. Mr. WATSON—The arguments advanced by the hon. member for York (Hon. Mr. Campbell) have not very much weight, as far as referring this Bill to the committee that dealt with the company's Bill in 1891; because I understand it was originally passed in 1876, and it is not very likely that many of the gentlemen who were conversant with the passing of that Act would take part in the proceedings to-day.

Hon. Mr. CAMPBELL—It was amended only a few years ago.

Hon. Mr. WATSON—If a member of this House had the right to direct a Bill to any committee he sees fit, I do not think the intention of the House would be carried out. I have been a member of the Striking Committee for a number of years, and the Striking Committee nominates the standing committees in the early part of the session, and in doing so, as nearly as possible, select members to serve on the several committees who are most familiar with the particular work assigned to such committee. The fact should be recognized in referring Bills to committees. Another reason why Bills should be so directed is that we have certain committees of importance. We consider the Banking and Railway Committees the most important committees of the House. We have other, committees, not composed of so many members, and it would not be fair that we should break away from a practice that certain legislation should go to certain committees. This Bill, from the title of it, should be sent to the Banking and Commerce Committee. I have no doubt the Private Bills Committee would be quite capable of handling it.

Hon. Mr. CLORAN—One of the older senators in this House, who is now absent, and one of the best authorities in regard to this matter, the hon. member for Montarville (Hon. Mr. De Boucherville) told me that very often the Private Bills Committee was practically one of the most important committees of the Senate, as well as of the House of Commons That was the case for a long number of years, and he said that the Banking and Commerce Committee was simply an off-shoot of the Railways, Telegraphs and Harbours Committee. The Private Bills Committee was the master of legislation in this honourable House. The hon. gentleman for Montarville (Hon. Mr. DeBoucherville) has been in this House for forty years, and evidently knows what he is talking about. I venture to say that in 1876, when this Bill was first passed, there was no Committee on Banking and Commerce in existence.

Hon. Mr. CAMPBELL—This Bill was amended in 1906.

Hon. Mr CLORAN—I am talking about the original charter which was granted when there was no Banking and Commerce Committee in this House The hon. gentleman from Montarville is an authority on these matters. The objection taken by the hon. member from York (Hon. Mr. Campbell) that the charter was considered and reported upon by the Banking and Commerce Committee cannot hold water. I am speaking simply from memory, and without the records before me. I think the hon. gentleman from Ottawa (Hon. Mr. Belcourt) is perfectly justified in having any Bill he presents to this House sent to the committee he chooses. The fact that a half dozen certain members are put on the Banking and Commerce Committee, does not mean that the 54 that are left off know nothing about banking and commerce. Because 15 or 20 members are put on the Private Bills Committee it does not follow that the 60 who are left off know nothing about private Bills. This thing of practice and rule grates on my nerves, and on my spirit of advancement. Because a thing has been in practice 50 years is no reason why it should be in practice to-day. I respect my grandfather and grandmother, but I am not obliged to follow their practice. If it is necessary to change the rule and practice, let us change it. The hon. gentleman from Ottawa is justified in asking that this Bill go to the Private Bills Committee

Hon. Mr. BELCOURT—I regret that my views did not meet with more approval in the House. Why should we load all the

work on one or two committees and leave the Miscellaneous Bills Committee without work? I do not like to divide the House on a motion of so little importance, but I think my hon. friend might withdraw his amendment.

Hon. Mr. POWER—No.

Hon. Mr. CLORAN—Divide the House.

The House divided on the amendment, which was adopted by a standing vote on the following division:

Contents 25, non-contents 11.

Hon. Mr. EDWARDS—Why is it that a member is asked to which committee he desires to refer his Bill?

Hon. Mr. POWER—It has never been the practice to ask a member.

Hon. Mr. EDWARDS—He is always asked.

Hon. Mr. POWER—Not at all.

SECOND READINGS.

Bill (D 2) an Act respecting the Alberta Peace River and Eastern Railway Company.—Hon. Mr. Davis.

Bill (E 2) an Act to incorporate the Ottawa and Lake McGregor Railway Company.—Hon. Mr. Belcourt

Bill (G 2) an Act for the relief of William Holloway Adams.—Hon. Mr. Talbot.

Bill (H 2) an Act to incorporate the Guarantee Life Insurance Company of Canada.—Hon. Mr. Farrell.

Bill (I 2) an act respecting the British Columbia and Dawson Railway Company. --Hon. Mr. Bostock.

Bill (J 2) an Act respecting the Vancouver, Fraser Valley and Southern Railway Company.—Hon. Mr. Bostock.

CIVIL SERVICE ACT AMENDMENT BILL

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 60) An Act to amend the Civil Service Act. He said: This Bill proposes to amend the Civil Service Act placing the private secretaries of ministers in a better position than they at present occupy. It proposes to permit the minister to appoint his private secretary to a division higher than the Act would now permit. I may say, when it was before the Commons it received the support of both sides of the House, and particularly that of the leader of the opposition. Difficulty arose upon the government going out as to the status of their private secretaries, and this Bill has been introduced largely to meet that difficulty, as well as to prevent such a difficulty arising in the future.

Rt. Hon. Sir RICHARD CARTWRIGHT —Could my hon. friend state the amounts that would probably be payable under this?

Hon. Mr. LOUGHEED—Section 39 of the Civil Service Act, which this Bill proposes to amend, provides that a private secretary may, without examination, and irrespective of age. be appointed for a period not exceeding one year. and paid as a clerk in subdivision 'B' of the second division. Now subdivision 'B' of the second division places the salaries of those appointed under it at eight to sixteen hundred a year. This proposes to give discretion to the government to appoint secretaries in a higher division; that is in subdivision 'A' of the second division, with salary ranging from sixteen hundred to twenty-one hundred, or subdivision 'B' of the first division, from twenty-one to twenty-eight hundred.

Rt. Hon. Sir RICHARD CARTWRIGHT —He would receive $600 in addition to that?

Hon. Mr. LOUGHEED—$600 in addition thereto while acting as private secretary.

Rt. Hon. Sir RICHARD CARTWRIGHT --There is a good deal to be said, no doubt, for some of those private secretaries receiving a larger salary. If I follow the hon. gentleman right, the salary would considerably exceed $3,000. There are some secretaries that it would be properly applied to; but we have, in my opinion, far too many cabinet ministers. That is the opinion I have enunciated over and over again. My idea is that we should have

far fewer cabinet ministers, and a much larger number of private secretaries, after the English pattern. I understand we have fourteen ministers at present, with portfolios.

Hon. Mr. LOUGHEED—Yes.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would not like to restrict my hon. friend. I think he is worth two or three of them. He might have as expensive a secretary as he liked, but I doubt the wisdom of the whole fourteen gentlemen having in their gift the right of appointing a secretary at a salary of over $3,000, which is what they can do, if I read this aright.

Hon. Mr. LOUGHEED—Yes, it would be possible to appoint a secretary in subdivision (B) of the first division at $2,800, and he would, therefore, receive $3,400 as long as he acted as a private secretary.

Hon. Mr. POWER—That was more than a deputy minister received a few years ago.

Hon. Mr. LOUGHEED—But I might say to my hon. friend that I am not aware of any of those secretaries being appointed at that figure. I think most of them would be appointed at less.

Rt. Hon. Sir RICHARD CARTWRIGHT—There are secretaries and secretaries, as there are ministers and ministers. The Prime Minister and several of his colleagues are entitled to the services of a well paid secretary; but I greatly question the propriety of allowing the whole cabinet the right of making appointments of that kind. If I remember rightly at this present moment, most of the private secretaries in former times were appointed at a salary ranging from $1,200 to $1,500, with the additional $600. Under ordinary circumstances, you can get very well qualified men for the ordinary duties in most departments for $2,000, with a prospect of increasing it to $2,500 or thereabouts. Looking at the great number of cabinet ministers, the figure named here strikes me as decidedly too high for all of them.

Hon. Mr. CASGRAIN—I suppose we cannot change it. It is a money Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—No, it is not a money Bill in the strict sense of the term.

Hon. Mr. LOUGHEED—I, of course, appreciate what my right hon. friend says, and yet reasonable discretion must be given to a minister charged with the administration of a very large department as to his securing the efficient services of a private secretary. As my right hon. friend knows very well, the minister's private secretary in a large administrative department has almost as much work to do as the minister himself. He is almost invariably a man who would command a very much higher salary than that which is contemplated under this Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—I did not object in the case of certain ministers. but it is the whole group that I was taking into consideration.

Hon. Mr. DERBYSHIRE—The ordinary chaps.

Hon. Mr. LOUGHEED—When these salaries come to be voted, they will appear in the estimates, and my right hon. friend will find that a very reasonable discretion has been exercised by the different ministers as to the expenditure which will be made in this particular direction. That is to say, it is not contemplated that the minister who is administering, say, one of the minor departments shall pay his private secretary anything like the amount which shall be paid by the minister of one of the major departments; but, of course, it would be very difficult to discriminate or differentiate in a Bill such as this.

Hon. Mr. POWER—I should say it would.

Rt. Hon. Sir RICHARD CARTWRIGHT—I accept my hon. friend's statement, but I warn him of this, that he will find, and his colleagues will find—it will not affect him perhaps so much—that when you give to one man a certain salary, with the exception perhaps of the Prime Minister's secretary, you will find no peace in the world until all the gentlemen get the same.

Hon. Mr. WATSON—The strongest objection I see to this is that it leaves the door wide open to the appointment of any

number of private secretaries to the inside service. I entirely agree that when a change of government takes place the men who have been in the service as private secretaries to ministers should be retained in the government service. It would be a hardship for a man who had been secretary to a minister for a number of years to be turned out in the cold, and not be a member of the service; and I think it would be better to pass legislation naming the men whom you take into the service so that the public might have some knowledge of them. If you read this Bill, section 39 is new. It reads as follows:

Any person chosen by a minister to be his private secretary may, without examination and irrespective of age, be appointed a clerk, for a period not exceeding one year, in subdivision B of the first division or in subdivision A or subdivision B of the second division, and shall be paid a salary not exceeding the maximum salary of the subdivision to which he is appointed. and after one year's service as such secretary he shall be deemed to be permanently appointed to the Inside Service at the salary which he is then receiving as such clerk and with rank in such subdivision.

He has simply to be secretary for one year. Now I can quite understand that a great many people would like to be taken in under that class drawing a salary from $2,800 to $3,400; and a minister might appoint and qualify some person to take a position of that kind in the civil service every twelve months.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. WATSON—I think there should certainly be some limit to it, and a person should be a certain number of years a private secretary to a minister before he could be qualified. I notice in the press that the Civil Service Association of Ottawa have discussed this matter, and I do not think it should be left open to ministers to qualify friends of theirs, or a person taken as a private secretary, and found unsuitable, and who, could not otherwise qualify for appointment as a civil servant. But he could, under this provision, be assigned a position and the Minister would apply for a new private secretary. This Act is open to qualify an individual for the inside service at a salary up to $3,400 a year every twelve months. I do not think it should be left open.

Hon. Mr. WATSON.

Hon. Mr. DANDURAND—I have not the Civil Service Act of 1898 before me, but from the quotation that the hon. leader of the House has read, I understand that the latter part of clause 39 is new.

Hon. Mr. LOUGHEED—No; the present Act reads as follows:

And after one year's service as such secretary he shall be deemed to be appointed to such rank.

That is, the rank to which he was appointed when he was made private secretary. That is the present law, so far as chapter 15 of 1908 is concerned.

Hon. Mr. DANDURAND—So that the alteration in the law simply qualifies him to enter the civil service in a higher grade?

Hon. Mr. CLORAN—Without examination?

Hon. Mr. LOUGHEED—And of course there is no examination at the present time under the present law.

Hon. Mr. DANDURAND—My only fear is that the members of the civil service, who are entitled by promotion after a certain number of years, to get into the class in which we are now putting the private secretaries, will consider themselves handicapped by a number of appointments that will be made from such persons holding secretaryships. Of course, I understand that it has been the practice to appoint private secretaries of outgoing ministers; but I wonder if the point made by my hon. friend from Portage la Prairie (Hon. Mr. Watson) is not well taken—that one year is, perhaps, a very short period to allow a private secretary to enjoy the benefit of that provision.

Hon. Mr. CLORAN—I should like to ask the hon. leader of the House if he is aware of the fact that this legislation is due to the action of one of his colleagues from Ontario—one of the fighting ministers—the Minister of Railways. I believe. who brought down two, if not three, of his secretaries or amanuenses from Toronto, and wanted to force them on the government and the department, but was blocked by the Civil Service Commission? Is not that the

fact? I am so informed, and, I think, well informed. That did not tend to placate the fighting minister, and the result is this Bill. That is where this thing originates. When those ministers came down from the west, without any experience in parliament, they thought they could bring the whole outfit and foist it on the government, but the Civil Service Commission blocked it. Now we have a Bill to facilitate and make easy the path of their ambition for their friends; and I think the hon. member from Portage la Prairie (Hon. Mr. Watson) has pointed out to the House and country a grave danger. Those ministers will appoint whom they please—a power which they have under the present Act, but this Act goes further and gives them the right, and gives their secretaries a right to a higher preferment without any examination, without any control, from the Civil Srevice Commission. That is an evasion of the law. If I remember rightly, when the Civil Service Act was before parliament the Conservative party was strongly in favour of making it very stringent. Now they do not hold office for five months before they try to evade it. and evade it in the most extravagant manner. I am sorry to see that they do not evade it in an extravagant manner as far as our honoured colleague, the leader of this House is concerned; for they offered him a paltry $1,200. I think it is mean. They are asking for themselves, for their secretaries and their clerks, $2,800, $3,400 and $4,000, if they can get it, and all they put in the budget and estimates for our honoured leader here is a paltry $1,200. That is not fair, for I believe the hon. leader of this House is doing more work than any individual member of the cabinet. Before this legislation is passed it ought to be looked into, and safeguards put around that clause which gives the minister or the government of the day the right to advance a man against the express provisions of the Civil Service Act.

Hon. Sir MACKENZIE BOWELL—It seems to me that this whole Bill is in a nutshell. There is no change in the principle of appointing a private secretary. The principle has prevailed for some years, and is continued under this Bill. The only new provision is that when a secretary ceases to be a secretary, he can be retained in the service and advanced to class (A) instead of class (B). There is the whole Bill. There may be a point made in the remark of the hon. member from Portage la Prairie (Hon. Mr. Watson).

If there is a point in that, it has been the practice ever since the law was placed on the statute-book. The only provision in this Bill is simply to provide that when a private secretary retires from that position, he may be placed in the civil service under class 'A' instead of class 'B'. Whether parliament is justified in placing these men at a higher salary under the circumstances is a question for parliament to decide. There can be no question that the remark made by the right hon. gentleman from Kingston is true, that when a man is moved to a higher grade all the rest will be pestering to get there also. Experience has taught every minister the force of that remark. I do not see at present any necessity for discussing the general principles of the Bill. All we have to consider, unless you intend to amend the Civil Service Act in its entirety, so far as it refers to private secretaries, is simply whether we should permit a private secretary to be advanced, when he retires from that position, to class 'A' instead of class 'B'.

Hon. Mr. POWER—The object of the Civil Service Amendment Act of 1908 was to, as far as possible, eliminate political and personal favoritism from the civil service.

Hon. Sir MACKENZIE BOWELL—You can never do it.

Hon. Mr. POWER—This Bill is going directly in an opposite direction. The statement made by the hon. gentleman from Portage la Prairie (Hon. Mr. Watson) deserves the most careful consideration on the part of the hon. gentleman who leads the House. If this Bill becomes law, a man can be taken on, without examination, and kept in the service for perhaps a year, and if it is ascertained that he does not make a satisfactory private secretary, there is nothing to hinder that officer, who is not qualified to be a private secretary, from being put

into the service in the first division, over the heads of men who have been twenty and more years in service. That must strike every one as being unfair, and calculated to cause a great deal of dissatisfaction and ill feeling in the service. My hon. friend says that both parties in the House of Commons appear to have agreed to this Bill. I noticed that there was a good deal of discussion, though I did not read the official report of the debate. It must be borne in mind that there were two or three ex-ministers in the House who would only be too anxious to see something handsome done for the gentlemen who had been their private secretaries.

Hon. Mr. DANDURAND—They were excluded.

Hon. Mr. POWER—I do not see why they should have been. If it was good for the incoming ministers, I do not see why it was not good for the out-going. This is a measure that the Senate should scrutinize carefully when it comes up in committee. Subdivision 'A' of the second division is the highest point to which a private secretary should be promoted when he ceases to be a private secretary.

Hon. Mr. DANDURAND—Could not the hon. leader of the House from now until we take it up in committee, examine into the advisability of making a sliding scale? Of course, I realize that this Bill is on the same lines as the present law. But since you are putting these private secretaries into a higher class, could not this Bill be modified so as to put the private secretary into the class to which he would belong now, under the old law, if he were but one year a private secretary, and put him in a higher class if he had served three or four years. It seems to me that there is room for considerable injustice to be done to the civil servants who are in line for promotion, if a party who had served just 12 months could get ahead of them and take one of the higher positions.

Hon. Mr. LOUGHEED—I quite appreciate the value of the suggestion made by my hon. friend. The only difficulty that presents itself to my mind is as to the way it can be carried out. Of course the experience of ministers who have had to do with private secretaries, and who have been confronted with the difficulty of getting efficient men, would have a great deal to do with the solution of the difficulty. For instance, the late Prime Minister, in referring to this Bill, said that: 'The object of the measure was simply to give the private secretaries of ministers rank and status which they cannot have at present under the law. I have no fault to find with that and will give the matter consideration. I know by experience that it is impossible to get the service of private secretaries properly qualified to discharge the duties unless we give more salary.'

Hon. Mr. DANDURAND—So far so good.

Hon. Mr. LOUGHEED—I can say to my hon. friend that from the contact I have had with ministers who administer the large departments, this has been one of the greatest difficulties they have had to face, the getting of private secretaries.

Hon. Mr. DANDURAND—I am not objecting to that part of the Bill.

Hon. Mr. LOUGHEED—The matter may be thought out in the interim. In the meantime, I move the second reading of the Bill, and when it goes before the committee I shall be very glad to have any suggestions on the subject.

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

Hon. Mr. LOUGHEED moved that the Bill be referred to a Committee of the Whole on Tuesday next.

Hon. Mr. WILSON—I intended to have spoken on the motion for second reading, and I was on my feet and addressed myself to the House, but the Speaker paid no attention to me. I think I spoke loud enough so that any one could have heard me.

Hon. Mr. LOUGHEED—If my hon. friend will pardon me, I am sure the House will

be very glad to hear what he has to say on the Bill.

The SPEAKER—Certainly he has a right to speak to this motion.

Hon. Mr. WILSON—I want to know why this special privilege is to be granted to a minister of the Crown. To me, as a private member, it seems very unreasonable that this should be allowed. The country pays the salary of the minister's private secretary. It comes out of the pockets of the people, and the people have a perfect right to inquire into and to see that the ministers' private secretaries are what they ought to be. If the government of the day act as they do very frequently, they will take the heads off of every one. If there is a private secretary who does not comply with the wishes of the minister in charge and control, he will be dismissed. What I want to know is why this special privilege is to be granted to a minister to select a man to put into the service without passing any examination? He may be fifteen, twenty, or seventy-five years of age, if the minister, through kindness, should happen to take him. If the minister paid the salary, I could understand that he would have the right to take any one he liked; but I cannot see why he should have the right to unload him on the country after he gets through with him. That seems to be an unreasonable proposition. While I do not desire to detain the House, or to be harsh, or hasty, I feel that I cannot justify myself in supporting a measure of this kind, because I think it is wrong. The country has a perfect right to insist on the employment of qualified men who have passed an examination for the position. As the right hon. member from Kingston has well said, it will create jealousy among the servants of the government. Men who have passed the examination, and who occupy positions will not be satisfied to have others placed over them without any examination, or without regard to their age or other qualification. I, therefore, feel that I should vote against this proposition. It is not treating the country fairly. If I had been given an opportunity to vote I would have voted against the second reading of the Bill.

NATIONAL TRANSCONTINENTAL RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 76) An Act to amend the National Transcontinental Railway Act.

He said: This Bill proposes superceding the late commission charged with the building of the National Transcontinental railway, and appointing one commissioner to perform the duties formerly discharged by the entire commission. I do not think it admits of any other explanation. I hope my right hon. friend will regard it as an economy in the proper direction. The present commissioner, or the gentleman who will constitute the commission, Major Leonard, will be generally recognized as a very capable man, and a practical builder.

Rt. Hon. Sir RICHARD CARTWRIGHT—How did the government get rid of the other commissioners? Voluntarily or otherwise?

Hon. Mr. LOUGHEED—Some of them voluntarily, and some of them otherwise. They were only appointed during pleasure.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am aware of that. It pleased the government to get rid of them.

Hon. Mr. LOUGHEED—I understand no difficulty arose upon that point. In all probability the late commissioners recognized the wisdom of the step which has been taken. I think my hon. friend will appreciate the fact that the construction of that road had reached a point when it was very desirable to call in a practical man who thoroughly understood the character of the situation which should fall upon the shoulders of the commission.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am bound to say that on one point I agree with my right hon. friend. I think the gentleman chosen is well qualified, and I am glad to be able to say, waiving the question as to how the government dealt with the other gentlemen, that they have made a good selection in the case of Mr. Leonard. I have no objection to his appointment. As to economical practice, if

they will only be consistent in not creating any more officers than are needed to carry on the service, I will not find fault with them. I am afraid, as the business of the House proceeds, and as the business of to-night proceeds, we shall find that they have been lapsing from that rule, and are going to add to instead of diminish the number of ministers in a certain quarter.

Hon. Mr. POWER—I did not know that this Bill was coming up for second reading to-day, and I assume that the hon. leader of the House will have no objection to my making the observations I might have made to-day on his motion to go into committee next week.

Hon. Mr. LOUGHEED—Certainly not.

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

GOVERNMENT WORKS TOLLS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 103) An Act to amend the Government Works Tolls Act.

He said: This Bill is to correct a clerical error in the Revised Statutes of 1906. Formerly, the collection of these tolls was under the Department of Inland Revenue, but by subsequent statutes the collection thereof was transferred to the Department of Public Works. The interpretation clause of the Revised Statutes of 1906 states that the word 'minister' means Minister of Inland Revenue, whereas in conformity with previous legislation, it should be Minister of Public Works.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does this refer to what are known as hydraulic rates and tolls?

Hon. Mr. LOUGHEED—No, it is tolls on the works for the transmission of timber—slides and booms.

Rt. Hon. Sir RICHARD CARTWRIGHT—I have no objection to that.

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

MONTREAL HARBOUR COMMISSIONERS BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 97) An Act to provide for further advances to the Harbour Commissioners of Montreal.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am not disposed to object to the motion, but I should like to know who are to be the commissioners of the harbour of Montreal, if it is not a cabinet secret?

Hon. Mr. LOUGHEED—I am entirely unaware of any change in contemplation in the Harbour Commission at Montreal.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am glad to hear that.

Hon. Mr. LOUGHEED—And I am unaware of anything that will lead to any change. This Bill has in contemplation the carrying out of an arrangement which had been entered into between the Montreal Harbour Commissioners and the late government. A scheme was adopted which will involve the expenditure of about $18,000,000. Six million dollars was advanced by the late government and this makes provision for advancing another six million.

Hon. Mr. McSWEENEY—How much have they borrowed already?

Hon. Mr. LOUGHEED—This will make twelve million.

Hon. Mr. CASGRAIN—They will take three years to expend it.

Hon. Mr. LOUGHEED—Yes. The provisions are of a comprehensive character. and when we go into committee I shall give a general statement of what is proposed to be done. I have no doubt I will have the support of the hon. gentleman from De Lanaudière.

Hon. Mr. CASGRAIN—Certainly. The government is simply loaning the money—that is all—and the government gets every cent of the interest. There is not a dollar of interest due to the government from the harbour to-day.

Rt. Hon. Sir RICHARD CARTWRIGHT

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

Hon. Mr. LOUGHEED—I move that the Bill be referred to a Committee of the Whole House on Tuesday next.

Rt. Hon. Sir RICHARD CARTWRIGHT—This measure involves the expenditure of a pretty large amount of money, for which the harbour is responsible in the first instance, and for which the government will be responsible ultimately, and we would like a general statement showing what is contemplated to be done with the money.

Hon. Mr. LOUGHEED—I hope to be in a position when the matter comes up on Tuesday next to furnish that information.

Hon. Mr. CASGRAIN—If the hon. gentleman will bring the statement furnished by the Harbour Commissioners it will answer all purposes. They state that they are going to erect some freight sheds and so forth. They are taking advantage of the land they have obtained in the east of the city and have erected a high level track for the use of which they charge a toll and obtain a revenue. They will transfer cars from the Canadian Northern in the east end of Montreal to the Grand Trunk railway station, performing the work that the company which appeared before the Railway Committee this morning intended to perform. The right of way having cost nothing, it is a good investment. It would replace the proposed road which is being asked for before our Railway Committee, but which may possibly be withdrawn.

COLLINGWOOD SHIP BUILDING COMPANY BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 111) An Act to authorize the payment of a subsidy to the Collingwood Shipbuilding Company, Limited.

He said: This Bill deals with the subsidy applied for and worked out under the Subsidy Act of 1908. The work was begun and an agreement was to be signed, when the Act of 1910 was passed repealing or doing away with the Act of 1908. The subsidy conforms absolutely to the conditions of the Act of 1910, except as to the depth of water on the sill. The Act of 1908 provided for sixteen feet, whereas the Act of 1910 provided for eighteen feet. Before the dissolution of parliament, there had been an arrangement entered into between the Collingwood Shipbuilding Company, Limited, and the government of the day as to the passage of this Bill. The agreement will be found in the Bill itself.

Hon. Mr. ROCHE—Is it for a dock, for shipbuilding?

Hon. Mr. LOUGHEED—It is a dock which is already built.

Hon. Mr. CASGRAIN—It is not a floating dock, it is a graving dock. It is a masonry dock, I understand.

Hon. Mr. LOUGHEED—Yes, it is a dry dock.

Hon. Mr. CASGRAIN—I suppose this one we might let pass, but it would be very advisable for the government not to subsidize any more of those graving docks, but to have floating docks instead. They are more economical and do much better service. This is an antiquated kind of dock which is being discarded altogether the world over. Now the floating docks are being built, mainly, for the British Admiralty. When the hon. leader of the House was in Newcastle on Tyne, he may remember that in the great works of Swan and Hunter he saw a floating dock with a lifting power of thirty-two thousand tons being built for the British Admiralty. This antiquated system costs more to construct and operate, because in order to put a ship in a graving dock, you must let the water in to the full draught of that ship, and afterwards pump out the whole of that water, no matter if the ship is much smaller than the dock, but you have simply to let the water enter the floating dock; it sinks, the ship is pulled into the dock as the hon. member for Hastings saw also during our trip on the other side, and then simply a sufficient number of tons of water have to be pumped out of the floating dock in order to lift the tonnage of the ship that is put on it. There is not a ton

of water pumped for nothing, whilst in the old system the whole dock had to be emptied, however small the ship might be. When the late government introduced the system, I think they were ill-advised in confining the subsidies to graving docks built of masonry. I remonstrated personally with the Minister of Finance before he went into the House, and got him to consent to have this subsidy applicable only to floating docks, which cost 50 per cent less than the others and do better work.

Hon. Mr. LOUGHEED—There is no probability of such a dry dock as this being constructed, because the Act under which this was constructed was repealed; but it just happened that it was not completed in time when the Act of 1910 was passed.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does my hon. friend know whether the floating dock system is applicable to waters where there is no tide as well as where there is a tide?

Hon. Mr. LOUGHEED—Really I could not say anything upon that subject.

Hon. Mr. CASGRAIN—The tide has absolutely nothing to do with the floating dock. The right hon. leader on our side of the House lives on lakes where there is no tide.

Rt. Hon. Sir RICHARD CARTWRIGHT—That is the reason I asked the question.

Hon. Mr. CASGRAIN—The tides have absolutely nothing to do with it. He is quite right about the tides in the graving dock, for advantage is taken of the high tide to let ships in at Levis, where the tide rises eighteen feet, and in a northwest, or northerly wind over twenty feet. Advantage is taken of that high tide; when it is high enough, water is allowed to enter the dock, the ship is pulled in, then the tide goes out and a certain quantity of the water goes out of itself. The rest has to be pumped out; the doors are closed, and when the next tide comes, the doors being closed, the ship has the benefit of whatever the difference of the tide is. But in the other system the floating dock has absolutely nothing to do with the tide. It is simply a large pontoon. The water is allowed to enter the bottom of this pontoon and it sinks to the required depth, the ship is placed on it, the water is pumped out and as the water is pumped out the dock lifts the ship out of the water.

Hon. Mr. MACDONALD (British Columbia)—It requires a greater depth of water.

Hon. Mr. CASGRAIN—Certainly; you must have one and a half the depth of the ship. If a ship draws thirty feet, you must have at least forty-five feet of water right there.

Hon. Mr. ELLIS—Has the engineering profession made up its mind pretty well to accept the sunken dock instead of the other?

Hon. Mr. CASGRAIN—Oh, there is no difficulty at all now. The British Admiralty are adopting all floating docks. They cost about 50 per cent less and they work better. The only question was whether they would be permanent or not, and they have now devised a means by which they can be painted to protect them from rust.

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

SALE OF BREAD BILL.

DEBATE ADJOURNED.

The order of the day being called:

Resuming the adjourned debate on the motion of the hon. Mr. Casgrain for committee of the Whole House on (Bill D) intituled: 'An Act respecting the sale of bread,' and the motion in amendment thereto of the hon. Mr. David, that the said Bill be not committed to the Committee of the Whole House, but that it be referred to the Standing Committee on Miscellaneous Private Bills.—Hon. Mr. Lougheed.

Hon. Mr. POWER—I would ask the leader of the House if, considering the lateness of the hour and the comparative thinness of the House, he would put off the debate on this very important Bill till Wednesday next?

Hon. Mr. LOUGHEED—Wednesday next.

Hon. Sir MACKENZIE BOWELL—I suppose the hon. gentleman has no objection to that?

Hon. Mr. CASGRAIN—I have very strong objections. I see that the hon. member for Halifax seems to have a grudge against all my legislation. I am afraid it will endanger the passing of the Bill, because there are no more private Bill days in the other House.

Hon. Sir MACKENZIE BOWELL—I have no objection to postponing the debate, but I hoped the hon. gentleman, considering its vast importance, would have dropped the Bill.

Hon. Mr. CASGRAIN--Oh no.

Hon. Sir MACKENZIE BOWELL—I notice there is legislation being introduced at the present moment in some of the provincial legislatures, Ontario in particular, on this same question; and I have a letter from the Deputy Attorney General of Ontario declaring that it is the opinion of the Attorney General's Department that this Bill is ultra vires. I will read that letter to the hon. gentlemen when the question comes up. It would seem to be about time we got through dealing with these municipal matters, because they are very little beyond that.

Hon. Mr. DAVID—I regret that I cannot concur in the motion of the hon. member for Halifax. I am interested in this Bill. It has been postponed half a dozen times, and we are waiting for a declaration that is to be made by the hon. leader of this House. I do not know what the declaration may be, but if it is what I expect it to be, I intend to withdraw my amendment and replace it by another, that the House do not form itself into committee now, but that it do so this day six months.

The order was postponed until Wednesday next.

POST OFFICE ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

Bill (No. 106) An Act to amend the Post Office Act—(Hon. Mr. Lougheed)—was reported from the Committee of the Whole without amendment.

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

THE SENATE.

FRIDAY, March 1, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

PEACE CENTENNIAL CELEBRATION.

INQUIRY.

Hon. Mr. DAVIS rose to inquire:

1. Is the government aware that a committee has been organized in the United States to arrange for the celebration of the anniversary of one hundred years of peace amongst the English-speaking people?
2. Has the government had any communication from said committee? If so, what is the nature of the correspondenec?
3. Is it the intention of the government to take part in aforesaid celebration? If so, what action will be taken ?

Hon. Mr. LOUGHEED—Might I ask my hon. friend to allow that notice to stand for a week at least. By that time I may be in a position to give an answer.

The notice was allowed to stand.

THIRD READINGS.

Bill (T) An Act respecting the Rainy River Radial Railway Company.—Hon. Mr. Watson.

Bill (29) An Act respecting the Dominion Guarantee Company, Limited, and to change its name to the Gresham Guarantee and Casualty Company.—Hon. Mr. Casgrain.

Bill (63) An Act to incorporate the Premier Life Insurance Company of Canada.—Hon. Mr. De Veber.

Bill (72) An Act to incorporate the Sterling Life Insurance Company of Canada.—Hon. Mr. Taylor.

Bill (89) An Act to incorporate the Bank of Saskatchewan.—Hon. Mr. Gibson.

Bill (27) An Act respecting the Security Life Insurance Company of Canada.—Hon. Mr. Owens.

Bill (G 2) An Act for the relief of William Holloway Adams.—Hon. Mr. Talbot.

Bill (105) An Act to amend the Post Office Act.—Hon. Mr. Lougheed.

SECOND READINGS.

Bill (L 2) An Act respecting Mexican Interurban Electric Traction Company, Limited, and to change its name to 'Mexican Interurban Electric Railway Company, Limited.'—Hon. Mr. McHugh.

Bill (No. 23) An Act respecting the Harbour of Hamilton.—Hon. Mr. Gibson.

SASKATCHEWAN CENTRAL RAILWAY COMPANY BILL.

SECOND READING POSTPONED.

Hon. Mr. BOSTOCK moved the second reading of Bill (M 2) An Act respecting the Saskatchewan Central Railway Company.

Hon. Mr. DAVIS—This is a Senate Bill, and the proposition is one of interest to the province of Saskatchewan. A number of Bills, in which the people of the province of Saskatchewan have an interest, are introduced in this House, but we never see any of them appear in the name of a representative of that province. I have not the Bill on my file, and I think we should have an explanation.

The order of the day was discharged and placed on the orders of the day for Tuesday next.

ROMAN CATHOLIC EPISCOPAL CORPORATION OF KEEWATIN INCORPORATION BILL.

SECOND READING.

Hon. Mr. LARIVIERE moved the second reading of Bill (No. 70) An Act to incorporate the Roman Catholic Episcopal Corporation of Keewatin.

Hon. Mr. WILSON—The powers of this corporation are very wide and extensive, and I do not think it is quite safe, at the present time, that they should be granted. Therefore, the promoter of the Bill should give us an explanation. If all members of the Senate were on the committee we might obtain the information. I have no feeling in reference to this measure, but I desire to be in a position to cast an intelligent vote.

Hon. Mr. LARIVIERE (in French)—The hon. gentleman is perfectly justified in asking for an explanation of this Bill, as it is his privilege to do so. On the other hand, it is my privilege to answer him in my mother tongue. This Bill is simply to give a legal standing to the Roman Catholic Corporation of Keewatin. A new diocese has been created in the northern part of the Northwest Territories, that of Keewatin, and a bishop has been appointed, and this Bill is to have his corporation confirmed by Act of parliament.

Hon. Mr. CLORAN (in French)—The explanation given by the hon. member from Provencher is lucid and entirely satisfactory.

Hon. Mr. WILSON—Hon. gentlemen, that may be all right enough—

The SPEAKER—I would call the attention of the hon. gentleman to the fact that he has already spoken.

Hon. Mr. WILSON—I merely asked the promoter of the Bill to explain the Bill.

Hon. Mr. CHOQUETTE (in French)—I call the hon. gentleman to order. He has already spoken on the question and has no right to speak again.

Hon. Mr. WILSON—If the Speaker——

Hon. Mr. CHOQUETTE—Order.

Hon. Mr. WILSON—I have the floor.

Hon. Mr. CHOQUETTE—No.

Hon. Mr. WILSON—Then I will put myself right.

Hon. MEMBERS—Order, order.

Hon. Mr. WILSON—If I have not——

The SPEAKER—The point of order is this: The hon. gentleman from Provencher (Hon. Mr. Larivière) has, in answer to the hon. gentleman from St. Thomas, (Hon. Mr. Wilson) given certain explanations of the Bill that he is asking to refer to the Private Bills Committee. These explanations were given. After they were given, two members stood up, the hon. member for Victoria (Hon. Mr. Cloran), and the hon. member for Grandville (Hon. Mr. Choquette), and spoke, following remarks made by the hon. gentleman. I

think the hon. member for St. Thomas, (Hon. Mr. Wilson) in asking for an explanation exhausted his right to speak again.

Hon. Mr. WILSON—I am not going to speak upon the Bill. I am going to speak in reference to your ruling.

Hon. MEMBERS—Order, order.

The SPEAKER—I call the hon. member's attention to the fact that he is out of order.

Hon. Mr. WILSON—I know my rights pretty well, and I refuse——

The SPEAKER—I call the hon. gentleman's attention to the fact that, having given my decision on the point of order, the hon. gentleman has no right to discuss that decision. If he thinks I am wrong, he has a right to appeal to the House.

Hon. Mr. WILSON—If I am to be governed, Mr. Speaker, by your ruling, I shall have to move the adjournment of the House and then I will put myself in order.

Hon. Mr. POIRIER—I rise to a point of order. The hon. gentleman, having spoken once, has no right to make such a motion.

Hon. Mr. WILSON—If you rule——

Hon. Mr. POIRIER—Apart from the ruling, he cannot move the adjournment of the House.

The SPEAKER—I call the hon. gentleman's attention to this rule of the House, that when one member stands up to speak the other shall sit down. I decide that there is no motion. You cannot move the adjournment of a debate when there is no debate.

Hon. Mr. WILSON—I am going to move the adjournment of the House. I said I would move the adjournment of the House and not of the debate. I object to you, Mr. Speaker, putting words into my mouth that I did not use, and that I did not intend to use. It is not fair to coin words to place in my mouth. If this objection is raised on the present occasion, the Bill will come before the House again, and you will not facilitate its progress by the course you are taking to-day. I move the adjournment of the House and I give notice now that when this Bill comes up for third reading, and when it is before the committee, I shall seek the information that I have asked for on the present occasion, and it will be presented to the House. I have no feeling against the Bill.

The SPEAKER—I have just ruled that the hon. gentleman was not in order in speaking the second time on this question. If the hon. gentleman wants to observe the rules of the House, he must accept the decision of the Chair, and behave in a manner that will prove that he accepts my ruling. As I have ruled he is not in order he has only one course to take, and that is to sit down or appeal to the House against my decision.

Hon. Mr. WILSON—I have had a discussion with the Speaker and will have an opportunity of referring to it later on.

Hon. Mr. POWER—It is rather unfortunate that the hon. gentleman from St. Thomas is not as familiar with the French language as he ought to be. The hon. member from Provencher (Hon. Mr. Larivière) gave, at the second reading of the Bill, at the request of the hon. gentleman from St. Thomas, a lucid and satisfactory account of the reasons for the introduction of this Bill. The two languages stand on exactly the same footing in this House, and the hon. gentleman from St. Thomas (Hon. Mr. Wilson) has no ground to stand upon; but perhaps with a certain amount of friendly feeling for the ignorance of the hon. gentleman from St. Thomas

——

Hon. SENATORS—Order, order.

Hon. Mr. POWER—There is nothing disorderly in that; I might be allowed to explain the Bill. The objects of the Bill are practically set out in the second clause. It provides that the new corporation shall be called the Roman Catholic Episcopal Corporation of Keewatin, shall be vested with all the lands, tenements, and heredita-

ments and property, real and personal, and all burial grounds, churches, schools, colleges, chapels, seminaries and other buildings now belonging to the church. I want the hon. gentleman to be satisfied that this corporation is not taking anything.

Hon. Mr. WILSON—I object to the hon. member from Halifax (Hon. Mr. Power) discussing the whole nature of the Bill, when the motion before the Chair is to refer it to a committee. He should have availed himself of his opportunity when the Bill was up for the second reading.

Hon. MEMBERS—Hear, hear.

Hon. Mr. WILSON—He is entirely out of order.

Hon. Mr. POWER—There is nothing out of order in my addressing the House.

Hon. Mr. GIBSON—I should like to know what motion is before the Chair?

The SPEAKER—The motion before the Chair is to refer the Bill to the Standing Committee on Miscellaneous Private Bills.

Hon. Mr. POWER—I have a right to address the House on that subject. I admit, hon. gentlemen, that I am departing from the usual practice, but then I have the example of the hon. gentleman from St. Thomas who, within the last two days, made quite a little——

Hon. MEMBERS—Order, order.

Hon. Mr. WILSON—I have raised a point of order.

Hon. Mr. POWER—There is nothing in the point of order. This Bill proposes to vest the property, which is now the property of the Vicar Apostolic of Keewatin and of the Catholics in the Diocese of Keewatin, a new corporation which is called the Roman Catholic Episcopal Corporation of Keewatin. Parliament has, on various occasions, passed Bills substantially identical with this, and not very long ago we passed a Bill for the Salvation Army, another for the Baptist body, and I think Bills for every religious denomination in the country—all Bills of a similar character.

The motion was agreed to.

Hon. Mr. POWER.

SASKATCHEWAN POWER COMPANY BILL.

SECOND READING.

Hon. Mr. WATSON moved the second reading of Bill (No. 83) An Act respecting the Saskatchewan Power Company.

Hon. Mr. DAVIS—I should like to have an explanation of the reasons for the changes which appear in this Bill.

Hon. Mr. CHOQUETTE—It is to increase the power of the power-house.

Hon. Mr. WATSON—Judging from the question which was asked the hon. gentleman from British Columbia a few minutes ago, I expected the hon. gentleman from Saskatchewan would question me in regard to this measure. I do not know why my name was attached to this particular Bill, and I do not know why some member from Saskatchewan is not looking after the legislation from that province.

Hon. Mr. DAVIS—It is not my Bill, it belongs to the power-house.

Hon. Mr. WATSON—I do not know what the original Bill is, but certain changes are asked for, and I think these changes should be acceptable to members of this House. Clause 1 of the Bill substitutes the following for the section in the original Act.

> Provided that, either during or after the construction of such dam or dams, such arrangements shall be made and maintained free of charge by the company for the transmission of timber, saw logs, or lumber, and for free navigation by vessels of all kinds, as may be required by the Governor in Council.

I think those changes should commend themselves to every hon. gentleman as being in the right direction.

Hon. Mr. DAVIS—As far as it goes, the information is all right, but there are amendments to several clauses of this character. I should have liked some information as to how it would affect the Act as it stood. The last clause asks for an extension of time, to which there is no objection, but other sections in the original Act are changed, and no reason given. Surely under the original Bill arrangements were made for the transmission of saw-logs in the rivers. There must have been some ob-

ject in amending the Bill, otherwise the amendment would not have been proposed.

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

BILL INTRODUCED.

Bill (R 2) An Act to incorporate Prince Edward and Hastings Railway Company. —Hon. Sir Mackenzie Bowell.

Hon. Mr. LOUGHEED—I move that the Senate do now adjourn.

Hon. Mr. WILSON—I should not have spoken on the motion to adjourn if the hon. senior member from Halifax had taken a proper course when he was called to order, and if the Speaker had ruled that he was out of order in discussing the whole Bill when the motion was merely to refer it to committee. I submitted to the Speaker's ruling with a very strong feeling of the injustice of it. I was willing to forego anything I desired to say with respect to the measure if the hon. member from Halifax had submitted quietly and had not discussed the whole Bill, but, under the circumstances, I feel that I was not treated fairly. When I asked for information in reference to the Bill, I expected that my request would be granted. However, not having received the information, and being called to order, I avail myself now of the opportunity to reply to the hon. gentleman from Halifax and to give him to understand that if he is cantankerous I can be equally so, and if he is unfair in his manner of treating a senator in this House, I can respond to him and meet him fairly and squarely. I had no desire to hold up the Bill or to do an injustice to any member. I was told that I was out of order because I had spoken, when I simply asked for an explanation, and when I found the Speaker against me, and the senior member for Halifax, who was once a Speaker, opposed to what I conceived to be my just rights, I felt that I should not occupy that position, and withdrew my opposition at the time, but I desire the hon. gentleman to understand that I have certain rights and intend to defend them. Nothing will be accomplished by the opposition which has been offered to me today. I know what my rights are. I treat the statement of the senior member from Halifax with the respect which it deserves, and if I am in order, I say it does not deserve any respect. I feel that he gratuitously offered opposition to the course I was pursuing, without justification. I have a right to ask for information, and in future shall continue to do so. While I bow to the ruling, and submit to the decision of the Speaker, I am not going to bow to the rules propounded by the senior senator from Halifax. I would not go to the hon. gentleman to ascertain my rights.

Hon. Mr. CLORAN—I sympathize with the hon. gentleman from St. Thomas and think his grievance against the senior member from Halifax is pretty well founded, but he has mistaken his proper recourse. He should have asked the Speaker to call in the police, or the sergeant at arms, which was the favourite method of the senior senator from Halifax a few years ago.

The motion was agreed to.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, March 5, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

PUBLIC IMPROVEMENTS AT PRINCE ALBERT.

INQUIRIES.

Hon. Mr. DAVIS inquired:

Is it the intention of the government to erect an armoury at Prince Albert? If so, has an estimate been made of the cost? Will the work on same be started this year?

Hon. Mr. LOUGHEED—This matter is under consideration.

Hon. Mr. DAVIS inquired:

Does the government intend to complete the wharf at Prince Albert, Saskatchewan.

What is the total expenditure on same to date?

Does the government intend to let a contract for the completion of this wharf this year?

Hon. Mr. LOUGHEED—The replies are as follow:

1. Yes.

2. $6,433.31 to 31st January, 1912.

3. No; work is to be completed by day labour.

THE NAVAL POLICY OF THE GOVERNMENT.

Hon. Mr. CLORAN—Before the orders of the day are called I would respectfully call the attention of the House, in general, and particularly the attention of the leader of the House, to what I consider a peculiar, if not an unfortunate condition of parliamentary affairs. Four or five days ago, in conjunction with my honoured colleague from Grandville (Hon. Mr. Choquette), I had the honour to move in regard to the naval policy now existent, or that was to exist, in Canada under the present government. We were met by the declaration of the hon. leader of this House that there was no new policy to announce, that the status quo was to be accepted and respected until the next session of parliament. Under the influence of that statement, the entire House, with the exception of two, voted to maintain the declaration of the leader of the government. The two who voted against the vast majority felt that they were in the right. Not only did they feel that they were in the right, but they were assured by many of the members in this House who voted the other way, that they were in the right. Political and party exigencies, I suppose, required them to vote the other way. What I find strange in the situation is that the leader of the government in this House, the echo of the cabinet, makes a statement on the floor of parliament, which is contradicted three or four days afterwards in another place by another member of the cabinet on behalf of the government. Now, either one of two things has happened: the hon. the leader of the House, in this Senate, on behalf of the government, wilfully deceived us, or the cabinet, his colleagues, wilfully deceived him in not giving him the necessary information.

The SPEAKER—I call the attention of the hon. member to the fact that there is nothing before the Chair.

Hon. Mr. CLORAN—The only thing before the Chair is calling the attention of the government to a serious and grave state of affairs in the country.

The SPEAKER—The hon. gentleman has no right to call the attention of the minister to a question of that sort without putting himself in order.

Hon. Mr. CLORAN—I move the adjournment of the House, seconded by the hon. gentleman from Grandville, and that will bring something before the House.

The SPEAKER—Before the motion is put I will call the attention of the hon. gentleman to the fact that when he makes a motion of adjournment of this kind he must state, before making the motion, the object of discussion. Subsection 'G' of rule 25 says:

> One day's notice must be given of a motion 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.

Hon. Mr. CLORAN—I am in a position to state that it is most urgent. The position is one of public policy, of great interest to the nation at large—the question of the naval policy. I was about to state, when interrupted, that the hon. leader of this House has either wilfully deceived the Senate, a branch of parliament, or was wilfully deceived by his colleagues in the declaration he made to the Senate and the country at large. I am not going to admit for one instant that the hon. leader of this House wilfully or wittingly deceived this House. The only conclusion I can come to therefore, is that when he made his declaration of the policy of the government of the day in regard to that matter, he was not fully informed, or was wrongfully informed, by his colleagues in the cabinet, or that they have changed their minds in the past forty-eight hours, or three days. He is on

the horns of a dilemma. I have taken him off one horn. I disclaim any charge of wilful deceit on his part, but I do charge his colleagues with keeping him in the dark to the very last moment, or, if they did not keep him in the dark, they changed their attitude at the very last moment, and at the request of whom? What has occurred to change the policy of the government within the past three days? The hon. leader of this House solemnly declared to parliament on Wednesday last that this government had no new policy to announce in regard to the naval question. The House accepted that, and I regret very much that he had strength and power enough to entice all the Liberals in the House, except two, to vote with him. That is the big mistake my Liberal friends made in voting with the leader of the government on that question, and they must have had their eyes opened by this time.

Hon. Mr. CHOQUETTE—The hon. gentleman is right.

Hon. Mr. CLORAN—Of course I am right. What do we find? In the face of that solemn declaration of the leader of the government we have had a declaration by the responsible minister of the department in the other Chamber, that, after due inquiry and consideration into the naval policy, and after they had studied the situation in order to satisfy themselves, they would necessarily have to introduce a Bill which would repeal the present Act.

The SPEAKER—I call attention of the hon. gentleman to the fact that I think he is not putting himself in order by referring to what took place in the other House.

Hon. Mr. CLORAN—Well, call it down in Griffintown, or any other place. A gentleman in another place declared the policy of the government in these words:

> That after due inquiry and consideration, new legislation would be introduced which would repeal the present Act, but——

And this is where the Nationalist faction got their work in:

> But before anything would be done by parliament the whole matter would be submitted to the will of the people.

Does the hon. gentleman who leads this House not consider that a flat contradiction by the responsible minister to his own statement? What does all this mean? How is the government run? How does the cabinet formulate its policy? Is it the judgment of parliament, as voiced by the hon. leader of this House and voiced by many members in another place, or is it formulated and based on the dictates of a certain faction coming from a certain province? That is what the country has to face. If the Conservative party had an open policy on this question, I would be prepared to debate it on its merits, but we know and feel, without their saying it, that their policy is decided by a very small faction in one province of this Dominion. Is that a condition of things that is to be tolerated by the country and smiled at by the honourable Senate? The hon. gentleman is able to secure every Liberal vote in the House on his policy except two, and they are the only two who are to be the champions of fair-play in the political field.

Hon. Mr. POWER—I rise to a question of order.

Hon. Mr. CLORAN—Ha, ha, ha.

Hon. Mr. POWER—I think the Scripture says something about the laughter of fools. I have two points to urge: one that the hon. gentleman is just now reflecting on the action of all the members in the House except himself and one other. It is improper and contrary to the rule that there should be any reflection on the action of the House. The other point is that the hon. gentleman's speech is not within the rules. There is nothing at all urgent about this matter. It has been settled, and if the hon. gentleman were to talk from July until eternity he probably would not be able to alter the decision which the government have come to. I raise those two points of order, Mr. Speaker.

The SPEAKER—No one wants to discuss the point of order. I think it is well taken. The hon. gentleman has not proved that the question he wants to put, or the remarks he wants to make, are of an urgent nature. I fail to see the urgency of the case. He is allowed to make a motion only

when an urgent question presses itself upon this House.

Hon. Mr. CLORAN—I bow most respectfully to the decision of the Chair. I beg pardon of the hon. senior member from Halifax (Hon. Mr. Power) if I cast any reflection on the majority. I was not doing so. I was casting reflection on myself and the hon. member for Grandville (Hon. Mr. Choquette). The senior member from Halifax (Hon. Mr. Power) is entirely out of order himself. The hon. Speaker says it is not an urgent matter. If a navy on the rocks that has got to be pulled off is not an urgent matter, then I do not know what is urgent. I think it is urgent that the country should know to-day, and not to-morrow, what the government intends in regard to its policy. The leader of this House told us what the policy was three days ago——

The SPEAKER—I call the hon. gentleman's attention to the fact that I have given my ruling and if he wishes to ignore it he must appeal to the House.

Hon. Mr. CLORAN—I do not wish to ignore your ruling. I would like the hon. Speaker to point out where it is not urgent. His views and my views as to urgency may be different, but I have this to say, that the government of the day have no right to deceive parliament.

The SPEAKER—I call the hon. gentleman to order. It is my right to call the orders of the day immediately.

Hon. Mr. CHOQUETTE—As seconder of the motion to adjourn, I should like to ask if the Speaker decides that the question is out of order because it is not urgent?

The SPEAKER—Yes.

Hon. Mr. CHOQUETTE—Cannot we go on with this matter?

The SPEAKER—You may go on if it is a subject of urgency. It has not been proved to the House that there is any urgency in the matter.

Hon. Mr. DAVIS—It is a matter for the House to decide.

The SPEAKER—I would ask the hon. gentleman not to get excited. Only one at a time.

Hon. Mr. CHOQUETTE—Do you rule as a matter of fact that the question is not urgent ? I maintain, with all due respect to your ruling, that when the leader of the government says one thing, and another member of the cabinet says another thing, it becomes an urgent matter for the country to know which is right. I think it is very important that the public should know whether the naval policy of the government is to go on or not. I may to-morrow have a further motion to make on this question, and I maintain, with all due respect to your ruling, that it is a most urgent matter, and that we ought to proceed with the motion.

The SPEAKER—There is one way in which the hon. gentleman can get what he requires, and that is to make an inquiry. If he makes an inquiry he will receive an answer. I do not know that the country is in any danger if that answer should be put off until to-morrow or the next day.

Hon. Mr. CHOQUETTE—I asked the question and I was told that the answer would be given when I made my motion. We have the answer of the leader of this House, and now I am told that it is not the answer of the government, and I feel it is very urgent that I should now ask who is right on this question, and I think we ought to be permitted to go on with the discussion.

Hon. Mr. LOUGHEED—Perhaps it will terminate the discussion if I point out to my hon. friend that the answer given in the House of Commons in no way conflicts with the answer I gave in this Chamber. It may be a little more elaborated.

The SPEAKER—Is it your pleasure to adopt this motion—lost.

Hon. Mr. CLORAN—No, it is not lost.

The SPEAKER—Orders of the Day.

Hon. Mr. CLORAN—Well no. I appeal.

Hon. MEMBERS. Yeas and nays.

The SPEAKER—Call the Orders of the Day.

Hon. Mr. WILSON—There is a demand for the yeas and nays and the House is not granted the privilege of having the yeas and nays taken; therefore, I do not think you have a right to declare the motion carried. The members of this House have the same rights as you have in saying whether the motion should or should not be carried. It is true, you declare a motion carried by merely saying the Bill is read the second time or third time. You give no opportunity for a member to discuss it. I think my hon. friend is right in asking for an explanation.

The SPEAKER—The hon. member is quite out of order. If he wants a chance I will give him an opportunity immediately.

Hon. Mr. WILSON—I am speaking to the motion.

The SPEAKER—There is no motion before the Chair.

Hon. Mr. WILSON—When you put the motion——

The SPEAKER—I call the hon. member to order. If he does not accept the ruling of the Chair there is only one thing to do, and that is to appeal from my decision. In other words, I have decided to keep the order of the House.

Hon. Mr. WILSON—I suppose—

The SPEAKER—The hon. gentleman must sit down. There is a rule of the House which prevents two members being on their feet at one time, and I am on my feet now.

Hon. Mr. WILSON—I wish to point out—

The SPEAKER—I call the hon. member to order. If he presses me to the end I will proceed to the end.

Hon. Mr. CASGRAIN—Gave notice of a motion.

Hon. Mr. WILSON—I complain of the treatment I have received from the Speaker. I had the floor, and sat down when I was told I should. Then you, Mr. Speaker, allowed another member of this House to rise and give notice of a motion during the time that I was trying to explain to you that my hon. friend was in order. I contend that the motion you moved was not properly moved.

The SPEAKER—I would call the hon. member's attention to the fact that he is quite out of order, and I hope that he will be kind enough to accept the ruling of the Chair.

Hon. Mr. WILSON—Then I shall move that the House do adjourn.

The SPEAKER—The hon. gentleman has no right to make a motion under the circumstances.

Hon. Mr. WILSON—I shall avail myself of the first opportunity to speak, if I am going to be dictated to and deprived of my rights and privileges as a member of this House. You have full authority——

The SPEAKER—I ask once more that the hon. gentleman obey the order of the House.

Hon. Mr. WILSON—What rule of parliament have I violated?

The SPEAKER—Half a dozen rules of parliament.

Hon. Mr. WILSON—Tell me the rules of parliament I have violated.

The SPEAKER—The hon. gentleman has no right to speak when there is nothing before the Chair.

Hon. Mr. WILSON—But there is——

The SPEAKER—If the hon. gentleman does not sit down I will call the sergeant at arms to take him in custody. He must comply with the rules of this House. His conduct is a defiance of the rules of the House.

IMPROVEMENT OF HIGHWAYS BILL.
FIRST READING.

A message was received from the House of Commons with Bill (77) An Act to assist the Improvement of Highways.

The Bill was read the first time.

Hon. Mr. WILSON—The hon. gentleman has no right——

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

Hon. Mr. WILSON—I want to poimt out—

The motion was agreed to.

Hon. Mr. WILSON—I was on my feet when a motion was before the Chair, yet Mr. Speaker, you ignored the right of a member of this House. You may think yourself justified in so doing, but when a motion is moved by the leader of the House and I am on my feet to speak on that question, you have no right to shut me off. Do you call that fair-play?

The SPEAKER—There is nothing before the Chair.

BILLS INTRODUCED.

Bill (88) An Act to provide for the appointment of a Tariff Commission—Hon. Mr. Lougheed.

Bill (99) An Act respecting the Ottawa, Montreal and Eastern Railway Company. —Hon. Mr. Davis.

Bill (113) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

Bill (S 2) An Act to incorporate the International Guarantee Company.—Hon. Mr. Watson.

THE NAVAL POLICY OF THE GOVERNMENT.

Hon. Mr. CHOQUETTE—Before the orders of the day are proceeded with, I should like to direct the attention of the leader of this House to the following in this morning's papers:

> In the House yesterday, in reply to a question by Mr. Mondou as to whether the government intended to propose the repeal of the Naval Service Act, the Minister of Marine said: 'After such consideration and inquiry as may be necessary the government will present its naval policy to parliament and to the people. That policy will undoubtedly require legislation which will involve the repeal of the present Naval Service Act. In the meantime that Act will remain on the statute-book for purposes in connection with the fishery protection service and otherwise. Before any permanent naval policy is put into force the people will be given an opportunity to pass upon it.'

I should like to know if that means that the Naval Bill, which the government retained on the statute-book, to their shame, will be repealed next session, and when the new Bill is brought in if it will be submitted to a vote of the people?

Hon. Mr. LOUGHEED—The only reply I can give my hon. friend is the information which I gave him the other night, and which is not at all inconsistent with the statement made in the House of Commons. I then stated that no measure would be brought down this session dealing with the Naval Bill, and that in the meantime due consideration would be given to the question by the government, and that is yet the intention of the government.

Hon. Mr. CLORAN—A further question was put as to whether it was the intention of the government to submit the question to a vote of the people.

Hon. Mr. LOUGHEED—I did not assume to answer that question. I was not called upon to give a categorical answer to all questions.

Hon. Mr. CLORAN—We insisted on that. We were not told if the measure was to be submitted to a vote of the people, but the answer of the government in the other House goes further than the answer given here, and that is what I find fault with.

BRITISH AMERICAN TRUST COMPANY BILL.
FIRST AND SECOND READINGS.

Hon. Mr. WATSON introduced Bill (T 2) An Act to incorporate the British American Trust Company.

The Bill was read the first time.

Hon. Mr. WATSON moved a suspension of the rules. He said: I ask for a sus-

pension of the rules because the petition was presented regularly on the 22nd of February, and the Bill has been held up somewhere.

Hon. Mr. DAVIS—Is it absolutely necessary to get this legislation before the House now?

Hon. Mr. WATSON—As I have already explained, the petition was presented regularly on the 22nd of February, and the Bill has been held up in the Printing Bureau, or in this House. It is a Senate Bill, and in order to give it a chance to be passed this session, I am obliged to move the suspension of the rules in order that the second reading may take place to-day.

Hon. Mr. DAVIS—It is strange that a Bill can be held up in this way. It must be the fault of some official of the House. If some official has been guilty of negligence which obliges us to suspend the rules, the matter should be investigated.

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

THIRD READINGS.

Bill (16) An Act respecting patents of Thomas Wadge.—Hon. Mr. Watson.

Bill (84) An Act respecting certain patents of Thomas D. Rambaut.—Hon. Mr. Watson.

GRAND TRUNK PACIFIC RAILWAY BILL.

THIRD READING POSTPONED.

Hon. Mr. WATSON (in absence of Hon. Mr. Gibson) moved the third reading of Bill (V) An Act respecting the Grand Trunk Pacific Railway Company.

Hon. Mr. LOUGHEED—I regret that this Bill has reached a stage which it should not have reached without more mature consideration having been given to it by the Committee on Railways, Telegraphs and Harbours, to whom it was referred, and by whom it apparently was passed without fully considering the effect of the measure, in view of certain facts not then being before the committee. I was not in the committee at the time the Bill was passed, inasmuch as I was called away before it was considered. But hon. gentlemen will observe, looking at the Bill, that it permits the company to make an issue of debenture stock representing $25,000,000. It was proposed that that stock should be placed upon a parity with the issue made some time ago by the same company of a like amount. The fourth clause in the Bill is somewhat involved in language, but the promoters of the Bill, when before the committee, moved a change, which will be found on page 358 of the Minutes, which makes decidedly clear the object of the company that this second issue of $25,000,000 of debenture stock should rank pari passu with the issue made some time ago. This should not be done. There is no protection afforded in the Bill to the present holders of the debenture stock already issued, or for which provision has been made, and hon. gentlemen will very clearly see that to make another issue of $25,000,000 of debenture stock would degrade the first issue.

It would dilute the stock to the extent of the second issue, and surely the investing public must be protected to the extent of having security proportionate to what they have already obtained, and which undoubtedly would be a factor in the purchase of the stock. Not only was that done, hon. gentlemen, but it is permitted by this legislation which passed the committee to give priority to an issue of debenture stock, of ten million dollars of bonds now in the vaults of the government, held as security for a loan of ten million dollars made to the same company, and yet we propose to empower the company to issue $25,000,000 of debenture stock and to make that rank pari passu with the issue already made, and give it priority to an issue of the ten million dollars of debentures held in security by the government of Canada for a loan made to the company. Of course, I need not point out to the House that this must have been unwittingly done by the committee. The information was not before the committee which would permit them giving proper consideration to the subject. Furthermore, inasmuch as the government of Canada is so much interested in the Bill, not only as to protecting the security which they themselves hold, of ten million dollars,

but to protect the investing public, as I have already pointed out, it would be supposed that the promoters of the Bill would have consulted with the government of the day with reference to this legislation being adopted, but such has not been done. Now, it will be obvious to the House that this Bill must be taken up between the promoters and the government before it can reach another stage. I would simply point out to the House the desirability, in the future, of our giving closer consideration to these Bills which come before our committees. Unfortunately, on that particular day a surfeit of work was thrown before committee, and proper consideration could not have been given to the very numerous Bills which they were called upon to consider?

Hon. Mr. CASGRAIN—I raised that very point in the committee, not about the ten million in security held by the government, but allowing this new debenture stock to rank pari passu with the other issues. The matter was discussed in the committee, and an amendment proposed by the solicitor of the company was carried. I drew the attention of the committee to the point, and it was not overlooked by the committee, as the leader of this House is inclined to believe. Whenever anything about debentures comes up in this committee, I always look particularly after it, because I have had experience in such matters, and when it was decided that these new debentures should rank pari passu with the other ones, I asked if consent had been obtained from those who held the first debentures. I think we were informed in the committee that there were no debentures issued at the time, and therefore no harm could come to any one. No allusion was made to the debentures held by the government. I think the proper thing to do would be to send the Bill back to the committee.

Hon. Mr. KERR—Senator Gibson has charge of the Bill, and in his absence I move that the order be discharged, and put on the order paper for to-morrow.

Hon. Sir MACKENZIE BOWELL—Does the hon. gentleman think the delay long enough? The important point raised by the leader of the House was partially discussed in the Senate when the Bill was before it. Would it not be better to leave it over for a longer time?

Hon. Mr. YOUNG—The matter was very fully discussed in the committee in the presence of the representatives of the company, and the committee were satisfied with the explanations given, that no harm would be done to any one. I would suggest that the order be discharged and placed on the order paper till to-morrow. In the meantime, communication can be held with the Grand Trunk railway people, and they can be heard to-morrow forenoon.

Hon. Mr. LOUGHEED—I would point out to my hon. friend that the attention of the promoters of the Bill has been directed to this difficulty. It will involve the promoters of the Bill having an interview with the government as to their getting legislation of this character that gives priority to securities held by the government of Canada. That cannot be settled in a few minutes; consequently, it would be very much more desirable to postpone the order long enough to permit a proper conference being held with all parties interested.

Hon. Mr. YOUNG—Should the conference not take place before to-morrow, a further postponement can be had.

The motion was agreed to.

ANCIENT ORDER OF FORESTERS BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (O 2) An Act respecting the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

He said: This Bill simply proposes to enable the Ancient Order of Foresters to invest its funds as provided in sections 58 and 60 of the Insurance Act of 1910, and gives the company power to hold property not to exceed $5,000. There is nothing remarkable in it.

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

ORDER OF MOOSE INCORPORATION BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (P 2) An Act to incorporate the Grand Lodge of the Loyal Order of Moose in the Dominion of Canada.

He said: There is nothing remarkable about this Bill except the name of the society. In order to remove any misapprehension which might be caused by its peculiar name. I shall read to the House the purposes of the society. They are as follows:

(a) To unite fraternally all persons entitled to membership under the constitution and by-laws of the society.
(b) To improve the social, intellectual and moral condition of the members of the society; and to educate them in integrity, sobriety and frugality, and to give all moral and material aid in its power to its members and those dependent upon them;
(c) To establish a fund for the relief of sick and distressed members;
(d) To establish a benefit fund—
(i) for insuring a sum of money, not exceeding one thousand five hundred dollars, payable on the death of a member;
(ii) for insuring a sum of money payable for the funeral expenses of a member;
(iii) for the relief or maintenance of members in old age;
(e) To secure for its members such other advantages, other than insurance benefits, as are from time to time designated by the constitution and by-laws of the society.

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

CRIMINAL CODE AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (9) An Act to amend the Criminal Code.

(In the Committee.)

On clause 1,

Every one is guilty of an indictable offence and liable to three years' imprisonment who,—
(a) without the consent of the owner thereof,
(i) fraudulently takes, holds, keeps in his possession, collects, conceals, receives, appropriates, purchases, sells or causes or procures or assists to be taken possession of, collected, concealed, received, appropriated, purchased or sold, any timber, mast, spar, sawlog, shingle bolt or other description of lumber which is found adrift in, or cast ashore on the bank or beach of any river, stream, or lake, in Canada, or in the harbours or any of the coast waters (including the whole of Queen Charlotte sound, the whole of the Strait of Georgia or the Canadian waters of the Strait of Juan de Fuca) of British Columbia, or,—

Hon. Mr. POWER—When this Bill was before the House at its second reading, it was pointed out that the paragraph we are dealing with now was, to a certain extent, open to abuse, and it was suggested by more than one hon. gentleman that this paragraph should be confined to timber which was marked.

Hon. Mr. MACDONALD (British Columbia)—I think the clause in the Bill making it a crime to secure any logs adrift is not proper. On the sea-coast where I live thousands of logs, which have broken adrift from the mills, float along the shores, and the mill owners make no effort to take possession of them. Sometimes they are piled up on the shore, and the poor people cut them up for firewood. If these logs were not so cut up, they would be lost or destroyed, and it would be a hardship if we prevented the poor from using them for firewood, because the owners make no effort to secure them.

Hon. Mr. THOMPSON—It is a singular fact that in the lumber operations carried on by the companies on the rivers in Canada large quantities of logs get from the stump to the river and into the boom without a mark on them. It costs a great deal of money to handle these logs—just as much as if the owners had put the mark on them. The provisions of the local Act in Nova Scotia with respect to the river St. John would make it as much a crime for a man to take an unmarked log as to take one that was marked. There are on the river St. John, two or three hundred thousand feet of unmarked logs, which have actually passed through the employees hands. The owner is not able to follow every log which goes into the St. John river and into the incorporated boom. This lumber is taken by the boom company and rafted by itself. It is advertised in two or three newspapers, and the lumbermen who are interested in all the larger quantities of lumber sent down the St. John river hold

a meeting, and buy that unmarked lumber, and the money is divided between the people operating on the river in proportion to the quantities of lumber each handles. If we eliminated unmarked logs, and people were permitted to go up and down the St. John river and take all the unmarked logs it would be a large task, but it would pay them to do it. I think we should be careful in that respect. A man would know a log that was cut for the purpose of marking, and he would have no right to take it out of the stream, or from the coast, unless it had gone beyond the confines of milling operations entirely.

Hon. Mr. BOSTOCK—The description seems rather curious. It says 'including the whole of Queen Charlotte sound, the whole of the Strait of Georgia, or the Canadian waters of the Strait of Juan de Fuca, of British Columbia.'

The question arises whether the whole of the waters of the coast are covered by that. What does that description mean?

Hon. Mr. LOUGHEED—The object of that, as far as I can ascertain, is this: The present Act simply extends to the banks and beaches of rivers, streams and lakes, and does not include the class of waters with which the Bill now deals. It is proposed to extend the law beyond those waters that I have mentioned, and to make it apply to harbours and coast waters in British Columbia, and I suppose for convenience they have mentioned Queen Charlotte sound, the Strait of Georgia and so on. Inasmuch as the suggestion has been made by lumbermen in the province of British Columbia, who are lumbering in those particular waters, I suppose it is properly worded.

Hon. Mr. BOSTOCK—Have they considered what the effect of this clause will be?

Hon. Mr. LOUGHEED—The effect of it will be to extend the protection given by the present law to inland waters, to those waters on the coast.

Hon. Mr. BOSTOCK—It looks as if these particular waters which are specified might not be considered coast waters. Then the question comes in whether the description should not include the whole coast of Vancouver island.

Hon. Mr. LOUGHEED—I am not sure that mention of those particular parts might not take them out of any controversy as to whether they come within the waters described in this Bill.

Hon. Mr. BOSTOCK—Then would come up the question as to whether something further should not be said with reference to the waters along the coast of Vancouver island. The Queen Charlotte islands are specified, and it occurred to me that it might be necessary to specify Vancouver island also.

Hon. Mr. LOUGHEED—Would not the waters along the coast of Vancouver island be coast waters?

Hon. Mr. BOSTOCK—Not any more than the waters along the coast of Queen Charlotte islands.

Hon. Mr. POWER—I find I was under a misapprehension when I spoke a little while ago. I see by the wording of this paragraph that it does not apply to the coast waters of the Atlantic, so I have not any special interest in it.

Hon. Mr. LOUGHEED—If my hon. friend's suggestion had been carried out, it would amend the present law and permit any one to fraudulently take timber which was not marked, which would be a very undesirable position in which to place the law. I was about to say to the hon. member from Kamloops (Hon. Mr. Bostock), that before the third reading is reached I will make further inquiry as to the reason for specifically mentioning those particular waters to which he has referred.

Hon. Mr. MACDONALD (British Columbia). The object of the amendment is to compel millmen to keep their booms more secure. They are a menace to navigation. Ships break their propellors and get wrecked among those logs, and lumbermen should be compelled to make their booms more secure.

Hon. Mr. KERR, from the committee, reported the Bill without any amendment.

NATIONAL TRANSCONTINENTAL ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The orders of the day being called.

Committee of the Whole House on Bill (76), An Act to amend the National Transcontinental Railway Act.

Hon. Mr. POWER—The leader of the House was good enough to say, when this Bill was read the second time, that he had no objection to saying at this stage what I might have said if I had been ready then. Therefore I trust the House will pardon me if I say a few words about it to-day. In the first place, I direct the attention of the House to the Act under which this commission was constituted —that is chapter 71 of the Statutes of 1903, section 9, which says: 'The construction of the Eastern Division' that is from the city of Moncton to the city of Winnipeg,' and the operation thereof until completed, and leased to the company pursuant to the provisions of the agreement shall be under the charge and control of three commissioners' afterwards increased to four, 'to be appointed by the Governor in Council, who shall hold office during pleasure, and who and whose successors in office shall be a body corporate under the name of the Commissioners of the Transcontinental Railway, and are hereinafter called the commissioners. The Governor in Council may from time to time designate one of the commissioners to be chairman of the commission.' If one reads that section carefully, it will be seen that these commissioners were appointed to do a certain work, which under the original contract would have been completed about this time. I think it was generally understood that these gentlemen would continue in office until the work was completed. One would naturally, therefore, be surprised to find when the change of government took place, action was almost immediately taken to remove all of these gentlemen who happened to be appointees of the former government; and one is more surprised because the hon. gentleman who leads the government at the present time had always, while in opposition, been a very strenuous advocate of the permanency of government employees. Now, the question ought to be whether any very serious fault was to be found with the commissioners. It seems to me that unless that was the case the natural thing would have been that the commissioners should have been allowed to go ahead and finish their work. Of course, if it were shown, or if it were suspected that they were acting improperly, an inquiry should have been had, and, if it were established that the commissioners were guilty of any improper conduct, they should be removed from office. The course adopted by the government was not what one would naturally expect; the government, in a way, put the cart before the horse. They arranged to dismiss the commissioners first, and now they propose to try them after they have been dismissed.

In connection with that point I do not think the government have treated these commissioners altogether fairly. There was a statement made in another place that went to show that this road was to cost $258,000,000. The statement submitted to the House of Commons does not show that. It shows that on the 31st of December, 1911, out of a total line of 1,805 miles, the grading was completed on 1,588 miles, or 87 per cent of the whole length of the road. Track was laid on 1,379 miles or 76·82 per cent of the whole, and 279 miles of siding were laid as well; 983 miles of telegraph was completed, or over 50 per cent of the whole, and 82·75 per cent of the bridges had been completed. That is the point to which I direct the attention of the House, because the minister's statement showed that while eighty million dollars had been spent on grading, thirty and a half millions would be needed to complete. Ten and a quarter million had been spent on rails, three millions are needed for completion, and four and a half millions had been spent on bridges and one and a half millions would be needed to complete. That is to say, with thirteen per cent of the grading and 23 per cent of the track-laying, 17 per cent of the bridges and 50 per cent of the telegraphs to be complete; 37 per cent of the expenditure on actual construction of the road-bed was still to be made. No satisfactory answer was

given when questions were asked in another place as to why there was so great a disproportion between the estimated cost of completion and the amount of work to be done. The engineering expenses to December 31, 1911, were placed at $7,681,700, from December 31, 1911 to December 31, 1913, $3,850,300. A road within 13 per cent of completion as to grading and 23 per cent as to track, and within two years of being finally handed over, should not cost half as much for engineering during these two years as in the preceding six years of construction. That, it seems to me, is a thing that is plain on the face of it. The amount estimated and spent by the late government for terminals at Quebec was half a million, and the present government propose to now spent over nine millions on terminals at Quebec. The item of headquarters' salaries and expenses is also a remarkable one. Three-quarters of a million had been spent by the late government from 1905 to 1911, and the present government proposes to spend one and three-quarter millions in two years. Up to the 31st December, 1911, a total of $114,000,000 has been expended, and even accepting the very exaggerated estimate of the Minister of Railways, the expenditure alleged to be required to complete would be $58,000,000. That brings the whole cost of the road to completion up to $172,000,000. That is a considerable distance short of $258,000,000. That vast difference between $172,000,000 and $258,000,000 is made up largely of bonuses and interest and things of that sort, which would be largely met by the rental from the Grand Trunk Pacific Railway Company. I am not very much given to figures and I shall not go into that. It comes to this in the end, that of the total estimated expenditure of $172,000,000, two-thirds was spent by the late government in seven years and one-third is to be spent by the present government in two years.

Hon. Sir MACKENZIE BOWELL—What paper is the hon. gentleman reading from?

Hon. Mr. POWER—From the Ottawa 'Free Press', but I am reading what are facts, and I am reading them from the paper because it saves the trouble of making them up for myself. The position of the government when this Bill was introduced in the Commons was this: They claimed there was no necessity for having four commissioners to do the work, that the one competent man they had secured was quite capable of doing it all. If that statement had been correct there would have been something in it, but we find that almost immediately upon the appointment of the new chairman who, inasmuch as he represented the government, could exercise a wholesome control over his colleagues on the commission, this gentleman, who was, according to the statement of the government, able to do all the work that the four commissioners had been doing, and to do it better, selected an assistant at a salary of $7,500 a year. That is more than the individual commissioners were each receiving and does not indicate very much economy. And, further, the gentleman, Mr. Leonard, is a very experienced contractor and engineer, and it does not seem to me that it was necessary to appoint any more engineers. The late commissioners had a comparatively full and capable staff of engineers, and there was no necessity for Mr. Leonard taking one of that staff and making him an assistant commissioner.

Hon. Mr. McSWEENEY—Who is that?

Hon. Mr. POWER—Macpherson. It was not alleged that Mr. Grant, who was then engineer of the commission, was not a capable man, and was not discharging his duty faithfully. Further, there is very little work for engineers, certainly not for high priced engineers, to do in connection with this work now. It has all been laid down. The road has been located from one end to the other. The only engineering work which is really necessary is the work of the district engineers, under the supervision of the chief engineer. I think that Mr. Grant, supervised by Mr. Leonard, would have been quite capable of seeing that those district engineers did their duty properly. People talk in a loose way about engineers being the right men to superintend work of this kind.

Take any great railway—the Canadian Pacific railway, the Canadian Northern railway, or the Grand Trunk railway—the engineers are not at the head of the enter-

prise. They are not the people who superintend the furnishing of supplies and the financing of the undertaking. They act under the direction of the gentlemen who are appointed directors of the company; and while the Transcontinental Commissioners may not have been very skilful engineers, they were, I think, fairly good business men, and it has not been shown that they failed in any way in transacting their business. No doubt the road has cost a good deal, but it is such a road as has never been built in Canada before, and although the first cost may be considerable, the result of the method in which it has been constructed will be that the future expenditure on the road will be comparatively small. We have not reached the end of the inconsistency, if one may use the expression, of the government yet. They dismissed the railway commissioners, and then, after they had been condemned, appointed a commission to investigate their conduct. I find, in the return laid on the table of this House on the 22nd of February, a provision with respect to carrying on this work. At page 297 of the Senate 'Debates' I find the following:

> Appointment of F. P. Gutelius, C.E., of Montreal, and George Lynch Staunton, K.C., of Hamilton, who shall be chairman of the commission, commissioners to make investigation in respect of the construction of the Transcontinental railway between Moncton and Winnipeg, covering all matters bearing on the actual construction of the railway, the expenditure theron, whether direct or indirect, the system adopted for such construction, and the management of the undertaking generally.

Mr. Gutelius is an engineer, but, as I said before, it does not seem to me there was any necessity for more engineers. I think Mr. Leonard, and the staff under him, would be quite capable of making any inquiry that was necessary to be made from the engineering point of view. Mr. Staunton is a lawyer, and the government have taken the ground that, in a work of this kind, lawyers and business men are not the right people to deal with. Looking at the pay that is provided for Messrs. Morine, Ducharme and Lake, I am satisfied that these gentlemen will be paid not less than $40 a day each. Morine is to be paid $40 a day, and his two assistant commissioners are to be paid $30 a day, in addition to their incidental expenses. Mr. Gutelius is a gentleman who stands very high, I understand, in the engineering world, and Mr. Staunton is a gentleman who certainly would naturally expect, being a leader of the bar in Ontario, to be paid rather more than Mr. Morine, who has not had, in the recent past, a very large practice. So that we are safe in saying that these two commissioners will draw, at any rate, something like $100 a day between them; and the amount of work that is set out for them by the commission will take them probably two years. Where the economy comes in, arising from the dismissal of the present commissioners and the appointment of Mr. Leonard, with an assistant who is paid more than one of the present commissioners, and the appointment of those two commissioners to investigate for a couple of years, at a considerably higher figure than the present commissioners are getting, does not seem clear.

I think what happened was this: there were some rather strenuous followers of the government, who saw that there were three or four Liberals who were drawing respectable salaries, who were not protected by statute, and who could be got rid of, and they decided to get rid of them, and, in so doing, provide a means of furnishing comfortable pay for a considerable time for some gentlemen whose politics were of a different stamp, I am not given to using strong language, I hope, and I think also, that I am capable of looking with a reasonable amount of fairness at the acts of the government, but I must say that I think, in this particular matter, the action that has been taken is not creditable to the government.

Hon. Mr. CLORAN—If I understood the last speaker correctly, he said the railway commissioners were dismissed. I have most positive information, from the highest sources in the land, that such is not the case, that these very railway commissioners sent in their resignation, and consequently, were not dismissed. I should like to know whether the statement of my informant or the statement of the hon. gentleman from Halifax is correct.

Hon. Mr. LOUGHEED—My recollection is that Mr. Parent, who was chairman of the commission, resigned his office before the present government came into power, or about that time.

Hon. Mr. CLORAN—The very day after.

Hon. Mr. LOUGHEED—And I understand the other commissioners sent in their resignations.

Hon. Mr. POWER—Since the hon. gentleman has chosen to interfere in this way, I should like to ask the leader of the government if the other commissioners were not asked by the government to send in their resignations.

Hon. Mr. LOUGHEED—I cannot give my hon. friend any information as to what may have taken place between the ministers and these gentlemen. All that is necessary to say is that they sent in their resignations.

Hon. Mr. CLORAN—That is all I want.

Hon. Mr. WILSON—I should like to ask his honour the Speaker what was before the Chair, after the motion was put, seconded, and declared carried, when the hon. gentleman from Halifax took the floor?

The SPEAKER—The motion was that this House resolve itself into a Committee of the Whole, and it has not been carried yet.

The motion was declared carried, and the House resolved itself into a Committe of the Whole on the Bill.

Hon. Mr. WILSON—I desire to obtain information. The Speaker declared the motion carried before the hon. gentleman from Halifax spoke. The hon. gentleman then talked for nearly half an hour. He is in the habit of declaring out of order members not as wise as he, or perhaps with not as big a head as he, and he calls them to order. I should like to know whether he was not out of order in speaking after the motion was carried. Other members of the House have not the privilege of speaking to a motion after it has been declared carried. I should like to know upon what grounds the hon. gentleman from Halifax claims that right.

Hon. Mr. CLORAN.

The CHAIRMAN—The House is now in Committee of the Whole.

Hon. Mr. WILSON—I am speaking on the motion. I want an answer to my question before I vote on the motion to go into committee.

The CHAIRMAN—The Speaker has left the Chair and the House is now in Committee.

Hon. Mr. WILSON—I have a right to speak half a dozen times in committee, if I wish to do so. If there is any rule by which the Chairman can prevent me speaking will he kindly quote it. I was trying to obtain the information from the Speaker, and, failing to obtain it from his honour, I was going to refer to my hon. friend from Halifax.

The CHAIRMAN—If the hon. gentleman will persist in interrupting, I shall have to ask the Speaker to take the Chair. The hon. gentleman is out of order, and is delaying and obstructing the proceedings of the committee.

Hon. Mr. WILSON—What rule am I violating? If he will show me the rule I will desist. Perhaps the hon. gentleman from Halifax will refer me to the rule.

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

HARBOUR COMMISSIONERS OF MONTREAL BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (97) An Act to provide further advances to the Harbour Commissioners of Montreal.

(In the Committee.)

Hon. Mr. LOUGHEED—When this Bill received its second reading I said that when we reached the committee stage I would state to the House the objects for which this $6,000,000 was being advanced to the Harbour Commissioners of Montreal and how it would be expended. It is proposed that the application shall be made as follows:

1. During the next three years they intend to pay off $600,000 of debentures, that is to say $200,000 this year, $200,000 in 1913 and $200,000 in 1914.
2. They propose a further extension of elevator No. 2, adding 1,500,000 bushels capacity, at a cost of $550,000.
3. Rebuilding Victoria pier and market basin, for river business, $640,000.
4. Sheds and equipment Victoria pier, $1,000,000.
5. Construction of high level wharfs, eastward of market basin to section 30, $350,000.
6. The diversion and alteration of the lower end of the Mackay pier and works required to lessen the St. Mary's current, $400,000.
7. Then lengthening of the present pier, $500,000.
8. Provision for the permanent paving of the wharfs and railway extension, $500,000.
9. General improvement and plant, $500,000.
10. Tarte pier, permanent sheds, $250,000.
11. New wharfs, $300,000.
12. Commencement of construction of new pier No. 1, up above Alexandria pier, extension of Bickerdike pier, with lift bridge connections, $710,000.

Rt. Hon. Sir RICHARD CARTWRIGHT—What rate of interest are those debentures bearing?

Hon. Mr. LOUGHEED—I understand that they are three per cent debentures, but they will cost about 3½, as money cannot be borrowed for less than that.

Hon. Mr. MACDONALD (British Columbia)—Is that in addition to the $6,000,000?

Hon. Mr. LOUGHEED—No, this is the proposed application of the $6,000,000 advanced.

Rt. Hon. Sir RICHARD CARTWRIGHT—It pretty well covers it. Those are what you may call works in the interior of the harbour.

Hon. Mr. LOUGHEED—Apparently.

Rt. Hon. Sir RICHARD CARTWRIGHT—They have no general plan of deepening or extending the channel, have they?

Hon. Mr. CLORAN—No, not in that.

Hon. Mr. LOUGHEED—Apparently not in this. I do not know whether, in the entire scheme, they have been looking forward to possibly deepening the channel.

Hon. Mr. CLORAN—I suppose all these works would not cover three-quarters of a mile frontage. It is all within the distance from the canal basin down to the Bonsecours market, which would not cover a mile and a quarter.

Hon. Mr. LOUGHEED—The payments are all to be spread over a number of years, and possibly they may look forward to doing something of that kind, but I cannot answer my right hon. friend's question.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does my hon. friend, the leader of the House, or my friend in the rear (Hon. Mr. Cloran) happen to know the present depth of the Montreal harbour?

Hon. Mr. CLORAN—Of course the ice is there now, and I do not know whether they take measurements every day or not, but in the springtime it measures 28 to 32 and 35 feet, and in the fall goes down to 22, 21 and 23 feet.

Hon. Mr. WATSON—23 feet is low water?

Hon. Mr. CLORAN—Yes.

On clause 1,

Hon. Mr. LOUGHEED—My impression is they are 3½ per cent debentures. Those debentures are being paid by arrangements entered into some years ago, evidently, by the commissioners and government, but, I apprehend, when it was entered into, money was cheaper than it is to-day.

Hon. Mr. CLORAN—Would the hon. gentleman mention that the interest has been paid, and that there are no arrears.

Hon. Mr. LOUGHEED—I understand that there are no arrears of interest.

Hon. Mr. CLORAN—So that the country is losing nothing by advancing the money.

Rt. Hon. Sir RICHARD CARTWRIGHT—Is that advanced at 3½ per cent?

Hon. Mr. LOUGHEED—I cannot speak of that positively, but before the Bill reaches the third reading I will make inquiries on that subject. I understand they are 3½ per cent debentures.

Rt. Hon. Sir RICHARD CARTWRIGHT—It will cost us 3½ to 3¾ per cent.

Hon. Mr. LOUGHEED—Yes, the probabilities are in favour of that. The information is obtainable from section 6 of the Bill, as my hon. friend from St. John has pointed out. That section of the Bill makes the provision that the debentures:

shall bear interest at the rate of three and one-half per cent per annum, such interest to be payable half-yearly, on the first day of July and the first day of January in each year.

Hon. Mr. CHOQUETTE, from the Committee, reported the Bill without amendment.

COLLINGWOOD DRY-DOCK BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole House on Bill (No. 111) An Act to authorize the payment of a subsidy to the Collingwood Shipbuilding Company, Limited.

Hon. Mr. LOUGHEED—On the second reading I think I explained to hon. gentlemen that this was a subsidy applied for and worked out under the Act of 1908. Upon the repeal of the Act of 1908, and the passage of the Act of 1910, it was found that there was a difference of two feet of water depth on the sill—that is the Act of 1908 permitted the dry-dock to be constructed with 16 feet of water on the sill, but the Act of 1910 required 18 feet on the sill. In the meantime, the work had been proceeded with, and an arrangement was entered into between the late government and the Collingwood Shipbuilding Company by which the work which they had done would receive the confirmation of parliament.

Rt. Hon. Sir RICHARD CARTWRIGHT—What are they going to do about it? Do they propose to increase it to 18 feet?

Hon. Mr. LOUGHEED—No, they propose to leave it at the 16 feet. It was entirely too late. The work had been substantially carried out, apparently, when the Act of 1910 was passed, and had it not been for the dissolution of parliament when it did take place last year, this legislation would have been put through.

Rt. Hon. Sir RICHARD CARTWRIGHT—I merely wanted to know whether any sort of understanding had been come to with the company as to future deepening.

Hon. Mr. LOUGHEED—No, I understand that no arrangement of that kind has been entered into between the company and the government, but it is simply carrying out what was practically the agreement entered into under the Act of 1908.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am aware of that, but I thought perhaps some understanding had been come to with them. Sixteen feet is going to be rather a shallow dry-dock I fear.

On clause 1,

The agreement between the Collingwood Shipbuilding Compnay, Limited, and His Majesty, dated the twenty-seventh day of July, one thousand nine hundred and ten, set out in the schedule hereto, is hereby ratified and confirmed.

Rt. Hon. Sir RICHARD CARTWRIGHT—What is the total cost?

Hon. Mr. LOUGHEED—A subsidy of $9,128 for 20 years, being based on the 3 per cent basis.

Hon. Mr. CAMPBELL, from the Committee, reported the Bill without amendment.

SECOND READING.

Bill (M 2) An Act respecting the Saskatchewan Central Railway Company.—Hon. Mr. Bostock.

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

THE SENATE.

WEDNESDAY, March 6, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

CLAIM OF MESSRS. BOULANGER AND SON.

MOTION.

Hon. Mr. CHOQUETTE moved:

That an order of the Senate do issue for the production of all documents, contracts and

correspondence, in relation to the claim of Messieurs Boulanger & Son, Montmagny, Quebec.

He said: I might be permitted to say a few words on this motion in order to state the facts before the leader of the House brings down the papers, and a settlement is made of the matter. This refers to a claim made by Boulanger and Son, of Montmagny, who had a contract to build a wharf there. They submitted a tender, which was successful, and signed the contract, which was in English. They did not understand English, but the resident engineer there, Mr. Tremblay, a good man, told them it was the same as in the French version; so they built the wharf. In the French version of the contract it was said that they were obliged to clean up the bottom of the river or basin at Montmagny, to put in a new wharf. They built the new wharf, but when they had it completed they were told that by the English version they were obliged to clean everything off the wharf. They took legal advice and their lawyer told them that they were not obliged to do that, according to the French version. The engineer told them to do the work under protest and later on, if they had any complaints against the government, they might make a claim. It was understood with the engineer that that was the proper course to take, and they did the work under protest, and filed a claim of $500. The resident engineer reported that there was a little difference between the French and English version, and according to the French version he thought they were entitled to something, but not to the amount of $500. The department refused to pay the amount some eighteen months ago, and then the claimants took action before the Exchequer Court, and the decision was to have been put in the hands of a judge who, though most honourable and learned, did not understand French, so the same difficulty would arise again. I therefore proposed a compromise to the Department of Justice in the name of the Boulangers, and said they were willing to accept $350, each side paying its own costs. At the same time I advised the claimants that a compromise settlement is always better than a suit and they accepted my advice. Some negotiation took place with the Department of Justice, and the Solicitor General, who handled the case for the department in the province of Quebec, said it was all right. The claimants thought the matter would be settled, and awaited payment, but a little accident happened to the government that was then in power, and since last fall I have tried, without success, to have that settlement carried out. Mr. Newcombe, of the Department of Justice, said that the contract was pretty plain in both languages, and he thought the claimants had no claim. We discussed that point, and we referred the matter to the chief engineer of the Department of Public Works, Mr. Lafleur, who made a report, collaborating with Mr. Tremblay, the resident engineer, that it was only fair that the claim for $350, as agreed upon, should be paid. I then wrote to the department, and the minister replied that he had referred the matter to the deputy minister to be settled. The deputy minister told me that he should like to have the opinion of Mr. Newcombe, as the matter was in their hands, as to whether they could settle in that way. I saw Mr. Newcombe, and he said it was very easy for the department to settle that, and that he would write them to that effect. He wrote the letter to the Department of Public Works telling them that they were at liberty to settle the claim for $350, and that it was their own affair—something like that; so I thought the matter was finally settled, and that Boulanger had nothing to do but wait for his cheque; but, to my great surprise, I received some ten days ago a last letter from Mr. Desrochers, the secretary of the department, written in French, under date of 24th of February last, to the effect that he was charged by the department to tell me that there was no ambiguity in either the English or French version of the contract, and that the department could not entertain the claim. I do not know what happened to change their opinion. Until recently it was understood in the Department of Public Works that if the Department of Justice would inform them that they could

settle the claim, as it was in their hands, they would settle it.

I am greatly surprised, therefore, to see this last letter. There must be a misunderstanding somewhere. Perhaps when the facts are laid before the government the matter will be amicably settled. Possibly if the case goes to court it will cost the government more than $350, and if the matter is ventilated in public, facts which are not pleasant about French and English employed in the departments, may be disclosed.

Hon. Mr. LOUGHEED—I shall be very glad to direct the attention of the Minister of Public Works to the remarks of the hon. gentleman.

INTERNATIONAL INSTITUTE OF AGRICULTURE.

INQUIRY.

Hon. Mr. BOYER inquired:

Has the government considered the opportunity of sending a delegate to Rome, to represent Canada at the International Institute of Agriculture?

He said: I desire to give a short history of the International Institute. The institute owes its creation to a Californian, David Lubrin, a retired merchant, the possessor of large estates, who realized that all trades but one throughout the world were organized. Agriculture alone was allowed to drift, and he was convinced that if a central bureau of agricultural statistics could be created it would greatly benefit the farming industry. The French saying 'No one is a prophet in his own country' proved true in Mr. Lubrin's case. He offered his idea to the United States government, and his offer was rejected. He next crossed the ocean and addressed himself to England, but England, busy with the Boer war, did not see fit to adopt the idea. He drifted into France, and from France to Germany, and from Germany to Austria, and was finally referred to the King of Italy, who received him very kindly, told him to call again, and give him time to consider the idea. A short time afterward, Mr. Lubrin was sent for, the International Institute of Agriculture was formed, and has been in existence ever since. The King then addressed a letter to the president of the Italian government, asking him to invite all the nations of the world to help him in the formation of this institute. Forty nations responded to the call of the King of Italy, and laid down certain resolutions with the understanding that all colonies, on their own application, could henceforth become members of the institute. The King of Italy, to show his good will to the institute, endowed it out of his private purse to the amount of 300,000 francs. The financial instute, thus constituted by a gift of 300,000 francs from the King of Italy and contributions from the different nations of the world, was divided into five groups. Nations of the first group contribute sixteen times 1,500 francs, or 384,000 group contribute eight times 1,500 francs, or 48,000 francs. The two nations in the third group contribute 12,000 francs. Twelve nations in the fourth group contribute 36,000 francs. The thirteen nations in the fifth group contribute 19,500 francs, making a total contribution of 499,500 francs, plus the 300,000 francs contribution from the King of Italy, making a grand total of 799,500 francs which is the annual budget of the institute. The vote of the institute is thus divided; the nations of the first group had five votes, nations of the second group four votes, nations of the third group three votes, and nations of the fourth and fifth groups two votes. The institute was started in 1905, and in 1908 the first annual meeting was called, and notices giving the programme of the annual meeting were sent to all the nations adhering to the institute.

Unfortunately for Canada, England had forgotten to notify us that we could belong to the institute, and it was only in 1907, two years after the institute was founded, that Canada was invited to join. Our first representative at the International Institute was Dr. J. G. Rutherford, head of the Veterinary Department of the Dominion of Canada, who went to prepare the work of the first annual meeting to which the Hon. Mr. Fisher went, and I had the honour to accompany him. At that first meeting the Hon. Mr. Fisher was unanimously chosen

as president. The vice-president was the Russian Minister of Agriculture, Mr. Yermoloff. At that first meeting the rules were laid down that are in force to-day governing the institute work. It was divided into three great divisions. The first division is presided over by Mr. Miklos, the delegate from Hungary, who has charge of the finances of the institute, of the building, of the archives, and of the paying in of the money, and the disbursements. The second division, which deals exclusively with agricultural statistics, diseases of plants and so forth, is presided over by an eminent German, Dr. Muller. Dr. Muller stands very high in Germany as a great statistical officer, and he willingly took charge of this department, which had to be organized from top to bottom. The third division governs the work of the institute relating to co-operation, and your humble servant was chosen as president of the third group. One has to go into the work of the institute to get a grasp of its magnitude. One hundred and seventy-two countries, or the majority of those are to-day sending to the International Institute of Agriculture all their statistics, relating not only to trade and commerce, but giving prices of products, and all these agricultural statistics have to be sent to Rome. These statistics are sent in twenty different languages, every nation having its own system of weights and measures, almost all of them differing one from another. Having reduced this enormous amount of statistics into a few lines, they publish the information in a bulletin issued monthly, before the 20th of each month, so as to give the world a reasonable prospect of what crops will be in the immediate future. As I have already said, twenty different languages are spoken at the institute. We had to ransack almost the whole of Europe to get a sufficient number of men learned in the different languages to translate the statistics, and to reduce the various weights and measures into standard measurements, so that they might be given to the world in a comprehensive way. We have found amongst the translators a gentleman who had never set foot either in Japan or China, and yet he proved a thorough Japanese and Chinese scholar. He was so efficient in these two languages that for the last two years he has been the official translator for the Japanese ambassador at Rome, and also the Chinese ambassador. He was asked one day how long he had remained in either China or Japan, and to my astonishment he told me that he had never been to China or Japan. He said: 'I never was rich enough to go to China or Japan.' I asked him how he had learned the languages so well, and he said it was a natural gift. Amongst the translators that offered their services were people from northern Europe, five of whom could speak in no less than sixteen different languages, and could read them faultlessly, such are the people who are entrusted with the work of translating this enormous amount of statistics sent once a month to the International Institute of Agriculture.

The King of Italy, following his gift of three hundred thousand francs, granted in the historical ground of Villa Borghese, a magnificent site, on which is erected the building which serves the purpose of the International Institute of Agriculture. I would strongly urge all my hon. colleagues of this House, if they ever go to Rome, that they should not fail to walk into the International Institute of Agriculture. By merely mentioning the fact that you come from Canada you will receive a most hearty welcome. Although the library has been only lately founded, within the past three years, no less than 2,500 publications dealing with agriculture are received monthly. If I tell you that these 2,500 pamphlets, or agricultural treaties, are carefully selected and once a month the institute publishes a volume of no less than 250 pages, called agricultural information, in which all information, useful or new to agriculture, is put down in this volume and distributed the world over. I am sure you must be surprised.

One does not realize the enormous importance of co-operation until one has seen the work of it throughout the countries of Europe. In 1911, in Germany alone the enormous sum of $1,634,268,989 was used by co-operative banks in fostering agricul-

ture. In the agriculture of Germany, France, Belgium, Austria, and Italy co-operation exists to an enormous extent. Not only do they co-operate for the selling of produce, but also for the buying of everything required by agriculture. They also co-operate as far as insurance is concerned, and the figures are simply baffling. When you think that from a chair in a poor farmer's house up to the most valuable head of cattle, everything is entered into the register when it is insured in the co-operative system, you will realize the magnitude of the work. This co-operation has got to such a pitch that it has done away with one of the curses from which our country suffers, that is to say, usury. To-day every farmer throughout the continent of Europe is in a prosperous state, owing to the enormous spread of co-operation amongst them. These annual meetings are called for three months ahead, and a programme is sent out. At the annual meeting of 1908, the question of the protection of birds useful for agriculture was one of the subjects discussed. Have the hon. gentlemen of this House any idea of the importance of birds as relating to agriculture? The convention was called in 1907 at the instigation of my dear friend Mr. Miklos, president of the Board of Agriculture for the Kingdom of Hungary. He drew the attention of the nations of Europe to the enormous destruction of birds useful to agriculture, that was going on throughout Europe, and the harm it was causing the country by the multiplying of insects and other pests. The different governments willingly sent their representatives to this convention. Certain nations demurred. They said that birds are no respecters of boundaries, and fly from one country to another going wherever they please or wherever food is most abundant. Unfortunately for our friends, the birds, they were unmercifully snared in some countries, though highly protected in others. Would you allow me simply to give you some statistics concerning the usefulness of birds as far as agriculture is concerned. I take my information from an American book called 'The Birds of North America,' by Chester A. Reed:

The native birds are one of our nation's most valuable assets. Destroy them, and in a comparatively few years the insects will have multiplied to such an extent that trees will be denuded of their foliage, plants will cease to thrive and crops cannot be raised. This is not fancy but plain facts. Look at the little chickadee: she was photographed while entering a bird box, with about 25 plant lice to feed her seven young; about 200 times a day, either she or her mate, made trips with similar loads to feed the growing youngsters.

It has been found, by observation and dissection, that a cuckoo consumes daily from 50 to 400 caterpillars or their equivalent, while a chickadee will eat from 200 to 500 insects, or up to 4,000 insect or worm eggs. One hundred insects a day is a conservative estimate of the quantity consumed by each individual insectivorous bird. By carefully estimating the birds in several areas, I find that, in the province of Quebec there are not less than five insect-eating birds per acre. Thus this province with its 8,000 square miles has a useful bird population of not less than 25,600,000 which, for each day's fare, requires the enormous total of 2,560,000,000 insects. That such figures can be expressed in terms better understood, it has been computed that about 120,000 average insects fill a bushel measure. This means that the daily consumption, chiefly of obnoxious insects, is 21,000 bushels. This estimate is good for about five months in the year, May to September, inclusive; during the remainder of the year, the insects, eggs and larvae destroyed by our winter, late fall and early spring migrants will be equivalent to nearly half this quantity. It is the duty, and should be the pleasure, of every citizen to do all in his or her power to protect these valuable creatures, and to encourage them to remain about our homes. The author believes that the best means of protection is the disseminating of knowledge concerning them, and the creating of an interest in their habits and modes of life. With that object in view this statistic is prepared. May it serve its purpose and help those already interested in the subject, and may it be the medium for starting many others on the road to knowledge of our wild, feathered friends.

This is as far as it relates to birds useful to agriculture. Another instance was given at this great meeting. Frederick the Great, King of Prussia, having created great gardens planted with very valuable plants and flowers, found his garden eaten to the tune of ten per cent by birds, either useful or obnoxious to agriculture. An edict was published ordering the destruction of every bird throughout Prussia. What was the consequence? Two years after the publication of his edict nothing was left of his garden but the bare ground, everything having been eaten up by caterpillars and insects injurious to agricul-

ture, to flowers and to plants. The edict was recalled, and Frederick the Great made this remark:

> Better pay ten per cent to birds useful to agricultural than to give everything to insects that will destroy and leave nothing but the bare ground.

Germany from that day, taking her cue from that great King, has strictly protected her birds; and when I come to tell you that the crop alone of Germany to-day is valued at ten billions of francs, it will give you one instance of the enormous growth of agriculture in that country. Now, to come down to recent meetings, the last annual meeting was called in May, 1911. Amongst the interesting questions then brought out was a new one altogether, that is to say, insurance against hail storms; and one has to go to those meetings to realize the importance of such an insurance. Certain countries in Europe suffer very severely from disastrous hail storms. In England alone three counties are severely affected--Lancashire, Hertford and Norfolk. In the northern part of France, experiments have been going on in the last four or five years, subsidized by the federal government, to discover some means of destroying the clouds that produce hail storms. Mortars have been very successfully used at over 600 different stations, but unfortunately, as in the case of all new ventures, opinions are divided. It has been proven so far, however, that the firing of a mortar, loaded even with gunpowder, has a most beneficial effect in dispelling storms, and very often saving the district from destructive hail storms. Kite flying is also very favourably considered, and so far has been a great success in dispelling storms. The English government, picking up the point, brought out the fact through the head of the meteorological service in London, Dr. Shaw, that it was impossible for the stations, numbering already over 8,000, dispersed all through England, Scotland, and Ireland, sending daily reports, to report all hail storms, because such storms sometimes affect a spot not one hundred feet wide, and will lay that spot bare, whilst within a few inches of it nothing is destroyed. Dr. Shaw stated that no fewer than 25,000 stations would be required in England alone if every hail storm was to be reported upon. The question was left to the good will of each municipality, and is in a fair way of being solved. Another very interesting question that was very thoroughly studied at the institute was the question of dry farming.

Mr. Campbell's system, which took root in Nebraska, is now gradually spreading, not only through the desert of Sahara, but has reached Europe, and is very successfully used in the dry parts of north Europe. The question was thoroughly studied and explained by experts. It has a great foothold in South Africa, and is in a fair way to become successful. My question is more important than the simple wording of it would indicate, and let me tell my hon. friend the leader of the government, that what we want in Rome is a thorough scholar, a man speaking both French and English, because the official language and all discussion is in French. A member speaking in any assembly has a right to speak in German, Dutch, Chinese, and Japanese, but immediately the speech is over a French translation has to be put in. If a man desires to make his weight felt at the Institute, he must be a thorough French scholar, because all documents are translated and issued in French. The Institute, following up its good work, decided later on to publish all its statistics and all its information as to disease, &c. in five different languages, English, French, German, Spanish and Italian. It is proposed later on, as the revenues of the Institute increase, to publish this enormous amount of statistics in twenty different languages, so that every nation throughout the world may benefit by the enormous resources placed at the disposal of, not only the agricultural classes, but the commercial classes, the railway and steamship classes, transporting freight and buying and selling the natural products of the world. The success of the statistics issued by the Institute compared to the great crop reporting houses of Europe such as Broomhall is simply wonderful. The institute issues no bulletin but what is compiled from official government statistics. These great re-

porting houses have agents the world over, reporting on the state of the crop, but within the last year it has been found that the statistics furnished by the Institute are so accurate that they are being quoted on the Liverpool Corn Exchange, and Berlin Corn Exchange, and in several large corn exporting, and importing centres of Europe. So far so good for the institute. The world institute requires to go still further. The institute has published these statistics, concerning wheat, oats, barley, maize and corn. It has since gone into the statistics of grapes, rice and cotton, publishing the most reliable information, which is thoroughly official, and which today ranks very high amongst the nations. The countries represented at the institute in Rome have this advantage; Rome being the capital of Italy, every nation has there an ambassador, or chargé de affaires, or a consul. Each one of these nations has either an ambassador or consul to represent them at the municipal institute. Canada is in a different position. We have no representative in Rome. What we require is a man who would take an interest in the matter and go into it thoroughly. One has no idea of the emulation that is created among all these different nations represented at the institute, to bring their statistics up to date; so that the information supplied to each government participating will be of the latest. The greatest emulation reigns, and, in consequence, the institute has attained a very high standing, and it is the duty of a growing agricultural nation like Canada to be thoroughly and fittingly represented there. I ask the hon. leader of this House to seriously take the question into consideration. Do not delay in sending a man to Rome. Canada will benefit by it. Canada's name which is thoroughly known throughout Europe will become still better known. Canada desires expansion. The markets of Europe may be open to us through the information we get. Let us not lose the opportunity. I sincerely hope my hon. friend will place this matter before the Department of Agriculture, and insist upon a fitting and proper representative being sent to Rome.

Hon. Mr. BOYER.

Hon. Mr. LOUGHEED—I feel assured in saying that the Senate is very much indebted to my hon. friend from Rigaud for the very interesting description that he has given us of the International Institute of Agriculture at Rome. I am further assured in saying that we have been more than pleased with the very instructive remarks that he has made upon the more scientific methods and system of agriculture. I am sure when the very interesting speech which has been given by my hon. friend appears upon the pages of our debates, it will be widely distributed and read with very much interest and much more instruction throughout the country. The only regret I have is that my hon. friend does not more frequently favour this Chamber with his views on such very important questions as this to which he has directed our attention, because there is no public question before the people of Canada in which we can be more deeply interested than this, the greatest industry which we have within the boundaries of our Dominion. I regret to say that possibly the interest which my hon. friend would naturally expect to be taken in such an important institution, and with reference to such a very important subject, has not been heretofore manifested by the government of Canada, and the answers which I am called upon to give to his question may not be satisfactory to himself, but I have no doubt that had his remarks been made some years ago, so as to have more deeply impressed the government of Canada with the necessity of giving close attention to this subject, the answers which I am about to read might be more favourable. The answers to the hon. gentleman's questions are as follows:

1. Yes, and it is not the intention of the government at present to send a delegate to Rome to represent Canada at the International Institute of Agriculture.

The Dominion for some time has been and is now represented at the Institute by Mr. H. G. Dering, of the British Embassy at Rome.

I shall take great pleasure in directing the attention of the Minister of Agriculture to the interesting and important remarks made by my hon. friend, and it is to be hoped that they may leave a sufficiently

deep impression on the head of that department to impel him hereafter to see that Canada is more directly represented in that institute.

Hon. Mr. BOYER—Our representation in Rome was entrusted to Mr. Percy Wyndham. On Mr. Wyndham being appointed minister to the United States of Columbia, Mr. Dering consented to take charge of the interests of Canada, but that interest is only as far as our votes are concerned. I regret to say that England is not represented except through Mr. Dering of the British embassy at Rome. The embassy sends us all the information furnished by the association. The only interest we have is our vote entrusted to the embassy. As far as the voting is concerned, Mr. Dering is the cock of the roost, because we have our share of the votes. But Mr. Dering is not going to take charge of our interests, and when we have a representative there, we will be the first colony to have proper representation at Rome.

MONEY EXPENDED UNDER THE INQUIRIES ACT.

MOTION.

The order of the day being called:

Hon. Mr. POWER moved:

That an order of the Senate do issue for a return stating the amount of money expended under the Inquiries Act?

(a) As salaries of commissioners, and

(b) All other expenses incurred under the said Act during the year ending the 1st July, 1897.

He said: Before making the motion which appears in my name, I wish to point out that, owing to defective punctuation, the notice does not satisfactorily express the object, which is to obtain information respecting the amount expended under the Inquiries Act during the year ending July 1, 1897. From the way in which the notice is punctuated, it might be thought that something more was required. I suggest that I be allowed to make the motion, having first transferred the last three words, making it read as follows:

That an order of the Senate do issue for a return stating the amount of money expended under the Inquiries Act during the year ending 1st July, 1897.

The motion was agreed to.

BILLS INTRODUCED.

Bill (54) An Act to incorporate the Quinze and Ottawa Railway Company.—Hon. Mr. Bostock.

Bill (94) An Act respecting the Windsor, Chatham and London Railway Company.—Hon. Mr. Pope.

QUEBEC TERMINAL EXPROPRIATION.

Hon. Mr. CHOQUETTE—Before the orders of the day are called, I should like to draw the attention of the hon. leader of the House to an urgent matter. The other day he put upon the Table a report about some properties in Quebec that had been expropriated by the government and not paid for. The last letter in the report, from Mr. Leonard, the new chairman of the commission, is dated 25th January, and states that he has communicated with Mr. Doucet about the payment for the properties, and that he will endeavour to make arrangements. Since then nothing has been done, and we have learned nothing about it. Mr. Doucet says he knows nothing about it. I would be very glad if my hon. friend would ask the chairman of the commission if they are going to take these properties. If so they should pay for them; if not they should restore the properties so that we can do something with them, because my hon. friend can easily understand that it is now nearing the 1st of May, and these properties must be re-let or something done with them, so I hope we will have some final information soon.

Hon. Mr. LOUGHEED—I will call the attention of the department to the observations of my hon. friend, and endeavour to secure the further information which he wants.

THIRD READINGS.

Bill (76) An Act to amend the National Tarnscontinental Railway Act.—Hon. Mr. Lougheed.

Bill (103) An Act to amend the Government Works Tolls Act.—Hon. Mr. Lougheed.

Bill (97) An Act to provide for further advances to the Harbour Commissioners of Montreal.—Hon. Mr. Lougheed.

Bill (111) An Act to authorize the payment of a subsidy to the Collingwood Shipbuilding Company, Limited.—Hon. Mr. Lougheed.

Bill (J) An Act respecting the Methodist Church.—Hon. Sir Mackenzie Bowell.

CIVIL SERVICE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 104) An Act to amend the Civil Service Act.

He said: The object of this Bill is to amend the Civil Service Act, to authorize the government to appoint a third commissioner. The Civil Service Commission is now made up of two members, and very frequently these two members of the commission do not see eye to eye upon subjects which come up for their discussion and attention; hence very awkward situations have arisen in determining such subjects as those upon which they are not able to agree. It is proposed to appoint a third member to the commission. It does not necessarily follow that the third member will be appointed at once. Section 2 of the Act provides that the Act shall come into force on a day to be fixed by proclamation of the Governor in Council. I apprehend that my hon. friend from Halifax, who criticised the government yesterday for doing away with commissioners and reducing a commission to one, will support this Bill, inasmuch as we are increasing the number of the commissioners. I, therefore, move the second reading of the Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—On the contrary, I think that, as the government considered it necessary in the interests of economy, to reduce four commissioners to one, the obvious inference is that this Bill might attain every object that the hon. gentleman desires, by reducing the two present commissioners to one. That would be genuine economy, and that would remove all difficulty of deadlock, unless the party happened to be one of those dual personalities, Jekyll and Hyde fashion, who occasionally quarrel with each other. I should like to know from the hon. gentleman, in the first place, what ground there is for creating these three commissioners. Have the present commissioners found that they are unable to overtake the work? Because, if so, the need for a third commissioner must have arisen very recently. Is the hon. gentleman in a position to state whether the commissioners have represented to the government that they cannot do the work that has been assigned to them?

Hon. Mr. LOUGHEED—I understand, as I have already said, that owing to there being only two commissioners, very awkward situations have arisen where the two commissioners could not see eye to eye, and consequently there is no determining factor as to which view should prevail.

Rt. Hon. Sir RICHARD CARTWRIGHT—That does not quite answer my question.

Hon. Mr. LOUGHEED—What is my right hon. friend's question?

Rt. Hon. Sir RICHARD CARTWRIGHT—What I want to know is, have the commissioners complained that they were unable to overtake the work assigned to them?

Hon. Mr. LOUGHEED—I am not prepared to say it has been owing to their not being able to do the work that is thrown upon their shoulders, but I might say to my right hon. friend that the government has in contemplation the extension, as expeditiously as possible, of the Civil Service Act to the outside service. The government propose taking up that question at a very early day, and, of course, dealing with a question of so comprehensive a character as that would entail greater labours on the commission than they at present have to assume; and if the embarrassing situation has arisen between the two commissioners which I have already pointed out, it is to be presumed safely that even greater difficulties will arise when they come to deal with so large a question as that of including within the Civil Service Act the outside service of Canada.

Rt. Hon. Sir RICHARD CARTWRIGHT—The hon. gentleman remarked that they had come to a deadlock very frequently.

Hon. Mr. LOUGHEED—I do not say very frequently; there have been occasions.

Rt. Hon. Sir RICHARD CARTWRIGHT —Well, my hon. friend may be better informed about it than I am. Once or twice some difficulty has occurred. If they have come very frequently into collision it has been very lately. Another thing I notice here is that the government take power to appoint a chairman. That means, I presume, that they will supersede the gentleman who is at present virtually the head of the commission, Professor Shortt, who has done his work well.

Hon. Mr. LOUGHEED—Not necessarily. It would not necessarily follow that the new man would be the chairman.

Rt. Hon. Sir RICHARD CARTWRIGHT —The hon. gentleman says he is not going to appoint a commissioner immediately; that means, I take it for granted, that the aforesaid commissioner occupies a seat in the other chamber, in all probability, and it may not be convenient just yet to vacate that seat.

Hon. Mr. LOUGHEED—I am not aware that that is the situation.

Rt. Hon. Sir RICHARD CARTWRIGHT —You guess it is likely.

Hon. Mr. LOUGHEED—I have not even heard it intimated.

Rt. Hon. Sir RICHARD CARTWRIGHT —We can discuss this better in Committee of the Whole. I think my hon. friend ought to be able to inform us as to whether there is really at this present moment any need for a third commissioner. I think the two are amply able to do all the work thrown upon them.

Hon. Mr. LOUGHEED—I have not any doubt as to their ability to do it, the difficulty is as to whether the present machinery of the Act is such as to permit it being done without friction. However, before we go into committee I shall be very glad to make that inquiry and give further information to my right hon. friend.

Rt. Hon. Sir RICHARD CARTWRIGHT —And, if the commissioners have asked for assistance?

Hon. Mr. POWER—There is just this one point to which I should like to direct the attention of the hon. the leader of the government, before the Bill is read the second time; that is, as to the choice of the third commissioner, the kind of man he should be. I think the civil service, perhaps, have had some reason to complain that the gentlemen who have been acting as commissioners, while in every way qualified, have not had actual experience in the civil service. If the government wish to make this commission more satisfactory to the service, great care should be taken when selecting the third commissioner and some gentleman should be appointed who can be regarded as thoroughly understanding the manner in which the public business is transacted, and who is perfectly familiar with the work of the inside civil service.

Rt. Hon. Sir RICHARD CARTWRIGHT —I would make one suggestion to my hon. friend. I think, if the third commissioner should be a sine qua non, that he should be thoroughly competent to speak and read in both languages.

Hon. Mr. CHOQUETTE—Hear, hear.

Hon. Mr. DANDURAND—I do not know if my hon. friends on the other side of the government will be able to select a man of such undoubted superiority as to fit him for the chairmanship of this commission. It seems to me that the two officials who now form that commission deserve the encomiums of both Chambers. They have given satisfaction and their standing in the community is such as to command the confidence of the people. Unless the government select a superior to these two gentlemen, I am quite sure they would rather select as chairman one of these two gentlemen, because it would not do to show any tendency to partisanship in a commission which was appointed to eradicate partisanship from the civil service.

Hon. Mr. CHOQUETTE—My hon. friend has just said that the third man should be familiar with both languages. There is no doubt that in this country, not only for the civil service, but for every public service, a man, in order to be qualified completely, must know both languages. If a man is going to deal with all public services in Ottawa, and if he is going to examine the papers of those who make ap-

plication to enter the civil service, he ought to be competent to write and speak both languages. Especially is this true of heads of departments. If an applicant is a French Canadian and wishes to write in French, the commissioner should be in a position to understand him and to answer him in French.

Hon. Mr. POIRIER—The position of the Civil Service Commission is one of very great importance and entails heavy work and responsibility. It was very timely that such an institution should be created to relieve the ministers of the very unpleasant task of seeing to the appointments of civil servants. The present incumbents have performed that very delicate duty to the satisfaction, if not of everybody, at least of the general public, and of both parties. I have the pleasure of knowing both commissioners; they are able men, and the selection was a good one. I would rather have one than two, but I would rather have three than either one or two commissioners, because of the magnitude of the work to be performed, and which is soon to be increased. These gentlemen have to be at their offices early in the morning and must remain there until late at night. They have frequently to be interviewed. Patronage is of great importance to the applicants, and is also of importance to both sides of the House. I believe that great care should be taken in the selection of the third commissioner, and that he should be a competent man. If, in order to find a competent man, the other House, or even this House, should be ransacked, I would have no objection. I do not believe the government contemplate appointing a commissioner until the outside service is brought under the jurisdiction of the commissioners, and then they will appoint the third man. I am sure they will take notice of what the leader of the opposition has said, that for such a position, where the applicants come from all parts of the country, that commissioner should be conversant, not only with the requirements of the civil service, but also with the two official languages and should be a man of very high standing and knowledge.

The motion was agreed to.

Hon. Mr. CHOQUETTE.

SECOND READINGS.

Bill (Q 2) An Act to incorporate The Interprovincial Fire Insurance Company.—Hon. Mr. Choquette.

Bill (R 2) An Act to incorporate the Prince Edward and Hastings Railway Company.—Hon. Sir Mackenzie Bowell.

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

THE SENATE.

THURSDAY, March 7, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILL INTRODUCED.

Bill (U 2) An Act for the relief of Alvena Bell Leaitch.—Hon. Mr. Baird.

RIGHTS OF THE MINORITY IN KEEWATIN.

QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—Before the Orders of the Day are called, I desire to direct the attention of the leader of the Senate to an interview published in 'Le Devoir' a Montreal paper, on Tuesday last. The interview affects important and grave public and political questions—important from the fact that it comes from the Speaker of this Senate, and grave because of the declarations therein made. The interview occupies nearly the whole of the front page of 'Le Devoir.' It is in French, and I will hand it to the reporter so that it will appear on the 'Debates.' It distinctly states that it emanates from his honour the Speaker, and makes declarations diametrically opposed to the policy of the present government on the school question, and the annexation of Keewatin to Manitoba.

Hon. Mr. TESSIER—What does it say?

Hon. Mr. CLORAN—It is as follows:

LES DROITS DE LA MINORITE DU KEEWATIN.

Une déclaration expicite de l'hon. Philippe Landry, président du Sénat.

Il affirme sa "croyance inébranlable" aux "droits imprescriptibles" de la minorité.

A l'heure ou se discutent les droits scolaires de la minorité du Keewatin, il nous a paru

particulièrement intéressant de connaître l'opinion de l'honorable M. Philippe Landry, président du Sénat, qui a depuis de longues années fait une étude spéciale des questions scolaires de l'Ouest. On verra que, pour M. le Président du Sénat les droits de la minorité sont au-dessus de toute discussion.

Voici, aussi fidèlement que possible, la conversation qui a eu lieu, entre notre représentant et l'honorable M. Landry:—

Le Journaliste.—Avez-vous vu la "Patrie" du 29 du mois dernier et celle du 2 du présent mois, au sujet de la situation, et qu'avez-vous à dire?

L'hon. M. Landry.—D'après ces doux articles, la députation à Ottawa serait divisée en trois camps, ou plutôt, comme dit le journal, partagée sur trois théories, que l'on peut en définitive réduire à deux.

1o.—Les députés qui croient que la population du Keewatin a des droits réels.

2o.—Ceux qui s'imaginent qu'il n'y a pour elle aucun droit quelconque.

Je n'ai pas l'intention de traiter cette question bien au long; mais je ne puis m'empêcher de vous dire sur quoi je fonde ma croyance inébranlable que la population du territoire que l'on veut annxer a des droits imprescriptibles.

Le Journaliste.—Comment l'établissez-vous?

L'hon. M. Landry.—Voici: Tous les territoires du Nord-Ouest sont régis par une loi fédérale, que chacun peut trouver aujourd'hui dans les statuts revisés de 1906, chapitre 62. Ce chapitre commence par définir ce que l'on doit entendre par territoires du Nord-Ouest, et voici textuellement la définition que la loi donne:—

2.—En la présente loi, à moins que le contexte n'exige une interprétation différente.

(a) "Territoires" signifie les territoires du Nord-Ouest qui comprennent les territoires antérieurement connus sous le nom de la Terre du Rupert, et le territoire du Nord-Ouest,—sauf les parties de ce territoire qui forment les provinces du Manitoba, de la Saskatchewan et d'Alberta, et le territoire du Yukon,—ainsi que tous les territoires et possessions britanniques de l'Amérique du Nord, et toutes les îles qui y touchent, excepté Terreneuve et ses dépendances.

Par cette clause, il est évident que le Keewatin tombe dans la définition ci-dessus, et fait partie des possessions britanniques de l'Amérique du Nord, sans en être expressément excepté par l'énumération que contient la clause elle-même des parties de ces possessions qui ne tombent pas sous l'acte des territoires. C'est la loi aujourd'hui, elle fait partie des Statuts revisés, et ces Statuts ont été mis en force par proclamation en date du 21 janvier 1907, fixant leur mise en vigeur au 31 janvier du même mois.

Donc, depuis le 31 janvier 1907 au moins, le Keewatin appartient aux territoires du Nord-Ouest. Or, au 31 janvier 1907, la loi disait dans la clause 10 du Chapitre 62 de ces même statuts revisés, que, dans les territoires du Nord-Ouest, par conséquent dans le Keewatin, comme dans le reste des territoires:—

Le Commissaire en conseil, s'il est autorisé à rendre des ordonnances concernant l'instruction publique rend toutes les ordonnances à ce sujet; mais, dans les lois et ordonnances concernant l'instruction publique, il doit toujours être décrété qu'une majorité des contribuables d'un district ou d'une partie des territoires ou d'une partie quelconque moindre ou sub-division de ce district ou de cette partie, sous quelque nom qu'elle soit désignée, peut y établir les écoles qu'elle juge à propos, et imposer et percevoir les contributions ou taxes nécessaires à cet effet; et, aussi que la minorité des contribuables du district ou de la subdivision, qu'elle soit protestante ou catholique, peut y établir des écoles séparées, et qu'en ce cas les contribuables qui établissent ces écoles protestantes ou catholiques séparées ne sont assujettis au paiement que des contributions ou taxes qu'ils s'imposent eux-mêmes à cet égard.

Telle est la loi qui régit aujourd'hui les territoires du Nord-Ouest (le Keewatin compris).

Elle est claire, et elle établit péremptoirement que la majorité dans un arrondissement scolaire quelconque a le droit d'avoir les écoles qu'il lui plaît, confessionnelles ou neutres, et que la minorité a également le droit d'avoir des écoles séparées, c'est-à-dire, différentes de celles de la majorité, évidemment des écoles au goût de la minorité. Pour prétendre aujourd'hui que les catholiques du Keewatin n'ont pas de droits suivant la loi, il faudrait prouver que les Statuts revisés du Canada de 1906 ne contiennent pas la loi du pays, que le chapitre 62 de ces statuts ne vaut rien, que la clause 2 de ce chapitre n'existe pas; et je défie qui que ce soit d'établir ou de tenter d'établir que les catholiques n'ont aucun droit, avant qu'il ait pu mettre de côté la clause, le chapitre et les Statuts revisés que je viens de mentioner.

Le Journaliste.—Mais on prétend que l'acte des territoires de 1905 chapitre 27, 4-5 Edouard VII, mettait le Keewatin au nombre des exceptions, comme le Manitoba, la Saskatchewan et l'Alberta.

L'hon. M. Landry.—Cela est possible; mais je dois vous faire remarquer que cet acte, chapitre 27, 4-5 Edouard VII, a été sanctionné le 20 juillet 1905. Or, le 24 juillet, c'est-à-dire quatre jours plus tard, le gouverneur en conseil lançant une proclamation qui se trouve dans la Gazette du Canada, numéro du 19 août 1905, qui déclare que le Keewatin, depuis et après le 1er septembre 1905, formerait partie des territoires du Nord Ouest; et lorsque l'année suivante, en 1906, a eu lieu la révision des Statuts revisés du Canada, on a dû nécessairement prendre en considération cette proclamation; et la consolidation des statuts a fait disparaître l'ancienne législation pour adopter la nouvelle. C'est ainsi que les Statuts revisés, dans la table de concordance qui en fait partie (voir Vol. 4. appendice 2, page 81) nous montre que la clause 3 du chapitre 27, 4-5 Edouard VII. est entièrement absorbée par le chapitre 62, clause 2.

On trouve une preuve additionnelle de la disparition de cet acte des territoires, 1905, chapitre 27 dans l'appendice 1, des mêmes Statuts revisés, page 39, qui contient l'historique de cette législation et nous dit que l'acte a été consolidé, c'est-à-dire, fondu dans le volume des Statuts revisés.

Hon. Mr. CLORAN—I hope that the hon. leader of the Senate will give this matter

his attention, and I should like to know if his government intend to take action on it. I have every assurance that the interview is correct. At all events, the Speaker is here and can state whether it is true or not. It is headed 'the rights of the minority in Keewatin; important declarations by Hon. Senator Landry in regard to the matter.'

Hon. Mr. LOUGHEED—I should like to know what answer my hon. friend desires from me?

Hon. Mr. CLORAN—I am asking whether, when the government becomes acquainted with this interview, they propose to take any action.

Hon. Mr. LOUGHEED—No.

Hon. Mr. CHOQUETTE—Who is right on this question, the government or the Speaker?

Hon. Mr. DAVIS—The Speaker.

Hon. Mr. DERBYSHIRE—The Speaker should know his business.

Hon. Mr. WILSON—I do not think he does.

ACCESS TO PORTS ON HUDSON BAY.

A QUESTION OF PRIVILEGE.

Hon. Mr. DAVIS—Before the Orders of the Day are proceeded with I wish to call the attention of the leader of the House to an article which appeared in the 'Citizen' of this morning, being a telegram from Regina, where the legislature is sitting. It reads as follows:

SASKATCHEWAN ASKS USE OF PORTS ON HUDSON BAY, AS ITS RIGHT.

Regina, Sask., March 6.—In the legislature this evening acting Premier Calder gave notice that he would on Friday introduce the following resolution:—

That whereas on this day the following telegram was despatched to the Right Hon. R. L. Borden, Premier of Canada, namely:

Regina, March 6.

To Rt. Hon. R. L. Borden,
Premier of Canada, Ottawa, Ont.

The government of Saskatchewan understands that legislation now before parliament contains provision whereby the province of Ontario will have the rights to secure access to Ports Nelson and Churchill on Hudson bay. On behalf of the people of Saskatchewan we deem it our duty to again call your attention to the claims of this province as set forth in the memorial now in your hands. We desire to protest in the strongest manner possible against the provisions of the Bill now before parliament which ignores the just claims of Saskatchewan for access to the bay. We wish further to point out that if there is a single valid reason why the province of Ontario should be given access to the ports mentioned, there are many reasons which are made apparent in the memorial referred to why Saskatchewan should have its claims recognized.

In view of the fact that you did not grant the request of the government of Saskatchewan to be represented at the conferences held with the governments of Manitoba and Ontario we desire to take this means, the only course open to us at present, to notify the government of Canada on behalf of our people that if the legislation now before parliament regarding an extension of the boundaries of Manitoba and Ontario become law without proper provision being made therein for a recognition, not of the claims, but of the rights of this province, the citizens of Saskatchewan for all time to come will have just cause to complain of the treatment received by them. In dealing with the matter referred to our people have the right to hope and expect that your government will be guided by the principles of justice and equality, thereby ensuring that the various provinces in the confederation of Canada will have no cause to complain of unfair treatment.

And whereas it is desirable that this House should place itself on record as approving the principles and sentiments expressed in the said telegram.

Therefore, be it resolved that in the opinion of this House the said telegram expresses the views of the people of Saskatchewan respecting the matter dealt with therein.

(Signed) J. A. CALDER,
Acting Premier of Saskatchewan.

I would like to ask the hon. leader of the House if the government has received this telegram and the memorial, if so, what action do they propose to take thereon.

Hon. Mr. LOUGHEED—The hon. gentleman has upon the order paper for to-morrow a series of questions, practically including everything embodied in the telegram which he has just read. I hope to have the answers to this question to-morrow, and at the same time will make allusion to the telegram which is now in my hon. friend's possession.

BILL INTRODUCED.

Bill (V 2) An Act for the relief or Isabella Helen Horncastle.—Hon. Mr. Roche

THIRD READING.

Bill (X) An Act to incorporate The Canadian Public Health Association.—Hon. Mr. De Veber.

IMPROVEMENT OF HIGHWAYS BILL.

SECOND READING POSTPONED.

The order of the day being called:

Second reading of Bill (77) An Act to encourage and assist the Improvement of Highways.

Hon. Mr. LOUGHEED—I presume my right hon. friend would desire this matter to stand until the information for which he asked yesterday is forthcoming.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

Hon. Mr. LOUGHEED—May I, in that connection, ask what is the purport of the notice of motion given? It is somewhat ambiguous. My right hon. friend makes this inquiry:

> That he will inquire of the government what are the amounts of the local and municipal taxes levied in the several provinces during the year 1911, or to such other dates as they can procure?

Do I understand this to be the municipal taxes levied by each municipality upon the local property within the boundaries of the municipality?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

Hon. Mr. LOUGHEED—Or taxes imposed by the province?

Rt. Hon. Sir RICHARD CARTWRIGHT —Also the taxes imposed by the province; I meant them to gather both.

Hon. Mr. LOUGHEED—Of course any taxes that may be imposed by the province we undoubtedly could get by telegraphing the provinces; but there is very little probability of our being able to get the information touching the taxes imposed by municipalities, except in any one province, or in all the provinces, where there may be some machinery by which returns of those amounts are made by the municipalities to the provincial authorities.

Rt. Hon. Sir RICHARD CARTWRIGHT —They have them in most of the provinces. They have very complete statements in Ontario, and I believe in Manitoba, and British Columbia. I am not sure about Quebec: but they are obtainable. They may not be in existence for the year 1911, and therefore I asked for such information as they had.

Hon. Mr. LOUGHEED—If the information is obtainable from the provinces, I presume the government could secure that information, but it would be utterly impossible to obtain it from the municipality, as my right hon. friend can understand.

Rt. Hon. Sir RICHARD CARTWRIGHT —It is only in provinces such as Ontario, where they possess the returns, that I would desire to get them. I suppose we must trust to faith in the other cases; but I know, because I have more than once inspected them, that in the province of Ontario very full returns of the kind I ask for are given, covering all the taxes by the municipalities; and I understand that the same thing is the case largely in the northwest, especially in the province of Manitoba, and I believe in British Columbia. As for the eastern provinces, I am not so sure, but that, of course, the hon. gentleman could ascertain. I assumed that the government, for their own information, would have obtained these figures before they brought down this particular measure. Of course, I can only ask for such information as they can get, and if my hon. friend will communicate with the treasurers of the several provinces, that is all I can expect him to do.

Hon. Mr. LOUGHEED—We shall exhaust all reasonable means to get the information.

Hon. Sir MACKENZIE BOWELL—In the province of Ontario the assessment upon the railways might differ every year, because the assessors vary in their valuation of properties from year to year, and the rate of taxation is levied upon their assessment.

Rt. Hon. Sir RICHARD CARTWRIGHT —Quite true; but I only asked for the latest information that can be got.

Hon. Sir MACKENZIE BOWELL—I fancy the better way to get that, so far as

Ontario is concerned, would be to send to every municipality, and they would be able to state the amount of property assessed, and the value put upon it, and the rate of taxation.

The Motion was agreed to.

TARIFF COMMISSION BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (88) An Act to provide for the appointment of a Tariff Commission. He said: It is almost unnecessary for me to make any observations on this measure, as it has been discussed at such length, both in the press and in the other House, and has, in other ways, come under our attention. I shall, therefore, not occupy your time in pointing out the purport of the Bill, except to say that the object is to appoint a commission of three competent persons to make all due inquiry into matters touching the tariff. The specific duties of the commission are clearly set out in clause 4 of the Bill, so that hon. gentlemen may, by a perusal of that clause, appreciate the scope of the measure. Clause 4 reads as follows:

> 4. In respect of goods produced in or imported into Canada the commission shall, under the direction of the minister, make inquiry as to—
> (a) the price and cost of raw materials in Canada and elsewhere, and the cost of transportation thereof from the place of production to the place of use or consumption;
> (b) the cost of production in Canada and elsewhere;
> (c) the cost of transportation from the place of production to the place of use or consumption, whether in Canada or elsewhere;
> (d) the cost, efficiency and conditions of labour in Canada and elsewhere.
> (e) the prices received by producers, manufacturers, wholesale dealers, retailers and other distributors in Canada and elsewhere;
> (f) all conditions and factors which affect or enter into the cost of production and the price to the consumers in Canada;
> (g) generally, all the conditions affecting production, manufacture, cost and price in Canada as compared with other countries.

The necessity for a tariff in this country is a question that will not admit of any two opinions. We are a new country, entering upon very large schemes of development, covering practically a continent in geographical extent, and the demands made from the various sections of Canada for the carrying out of public works, and all the other requirements of a rapidly developing country, are such as to make it absolutely necessary that Canada should be possessed of a very substantial revenue. That proposition will admit of no controversy. This revenue can only be obtained through a tariff. No matter to what extent there may be a sentiment in the community in favour of free trade, or revenue tariff, yet I fancy that no hon. gentleman will be sufficiently optimistic to fancy that the revenues necessary for the purposes of Canada can be raised by any other system or method than a tariff. Whether you call it a revenue or protective tariff, of course, affords a very large field for discussion and difference of opinion. Suffice it to say that if Canada ever passed through a stage when the opinions, or the sympathies of the dominant governing party were in favour of free trade and a reduction of the tariff which we now have, it would have been the period during which my hon. friends on the opposite side of the House were in power. They came into office in 1896, and the expressed sentiment of the Liberal party at that time seemed to be in favour of a very substantial reduction of the tariff and the adoption of a free trade fiscal system, if it were possible at all to develop the fiscal system of the country along those lines; but, notwithstanding the fact that the Liberal party administered the public affairs of this country during fifteen years, from 1896 to 1911, they found it utterly impossible to give practical effect to the professions of sympathy with free trade or revenue tariff, which they had so freely indulged in before their accession to office. Therefore, we have to take it for granted that no more favourable conditions could present themselves to the people of Canada for the adoption of such a fiscal system, than those which prevailed when the Liberal party were in office. Both political parties stand upon the common platform that a tariff is absolutely necessary for the public requirements of Canada, the requirements of revenue, the requirements for the building up of the industrial life of the country, and for the other purposes of government and administration incident thereto.

Though with some of the Liberal party there may be no sympathy with it, yet it is to be generally concluded that we have to make provision for the retention of our tariff walls. The question arises as to how this can be done most efficiently, with the greatest possible justice to the greatest number of the public, and yet consistent with the promotion of all the public interests of the country. There has been, for a great number of years, a very strong demand, both expressed and otherwise, that the tariff should be taken so far as possible out of politics, and I think every hon. gentleman in this House will concede the wisdom of that proposition, so far as it can be carried out.

Hon. Mr. GILLMOR—Are you going to do it?

Hon. Mr. LOUGHEED—I am not prepared to say that the tariff can be wholly taken out of politics. I do not think it can, but steps may be taken to remove, as far as possible, from political pressure the framing of the tariff, or the amendments that may be made from time to time to the tariff, so that we may have a tariff of the most scientific nature that we can reach. I need not point out to the hon. gentleman that a tariff is very largely evolved from the different sources of pressure that are brought to bear upon the government in making that tariff, no matter what that tariff may be, whether high or low.

Hon. Mr. GILLMOR—The commission does not propose taking the tariff down I understand?

Hon. Mr. LOUGHEED—It is desirable to eliminate as far as we possibly can, in the building up of our tariff, all the sympathetic pressure that can be brought to bear upon the framing of tariffs. It is very desirable that the tariff should be made in the public interest, with the view of promoting the best interests of the public, due regard being had to all the necessary interests that are involved therein, and to remove it, as far as we possibly can—which I say cannot be done altogether—from the sphere of political influence. Now, I need not say to hon. gentlemen that, for the purpose of intelligently making a tariff, it is necessary to secure that information from those reliable sources, from which alone we can promulgate a proper tariff. This can only be done through human agencies, and the closer we can approximate such agencies to those of a disinterested character, the more favourable that tariff will be in the public interest and the more eliminated will be political influences which are bound to creep in, and have considerable to do with its promulgation. Now, it is proposed, instead of the government making inquiries into all these facts, which must be elicited for the purpose of shaping a tariff, that these facts shall be ascertained by a commission that will be removed from the sphere of political influence, just to the same extent as the other commissions that are expected to carry out, or administer such public trusts as may be assigned to them by statute. It is proposed that three commissioners shall be appointed. The government of the day must necessarily be responsible for the character of the men so to be appointed. It will be manifestly in the interest of the government of the day to appoint the most efficient and competent men that can be secured for that purpose. I think I am safe in saying that the government of the day does not profit by reason of being able to hold within its hand the power of patronage, to assist its friends, and to be coerced or induced, as the case may be, to grant these favours which from time to time are sought from the dominant party governing the affairs of the country for the time being. This commission will have the scope assigned to it under this Act. Hon. gentlemen who have perused the contents of the Bill I think will agree with me that it is as comprehensive as it can be fairly made, and covers a scope of inquiry which, if properly exercised, will go far towards placing the government in possession of facts by which a more scientific tariff may be framed. It will certainly be more satisfactory to the public than the experimenting through which we have passed in the building up of our tariffs. The government of the day will be responsible for the character of the men who make this inquiry, and it will be manifestly to their advantage that that inquiry be made in as dis-

interested a way as it is possible to make it; that it shall be as free from political pressure and political influence as it is possible for the commissioners to conduct their inquiry into the various spheres of investigation outlined in the Act. So far as public security and publicity can be given, that has been provided for; the reports of the commission will be brought down from time to time and placed on the Table of parliament. There is nothing of a concealed nature, except these confidential investigations which are provided for in the Bill and as to which, hon. gentlemen I think will agree that that confidence should be maintained.

Rt. Hon. Sir RICHARD CARTWRIGHT —We are indebted to my hon. friend for the candour with which he has presented this measure, in two or three respects. Practically speaking he has advised us that this is intended to help to build the tariff wall a little higher and as far as may be—

Hon. Mr. LOUGHEED—Will my right hon. friend pardon me just at this moment. In using the word build up the tariff, I had no reference to increasing the height of the tariff.

Rt. Hon. Sir RICHARD CARTWRIGHT —Nor to diminishing it, I swear.

Hon. Mr. LOUGHEED—I think they can, just as much as building it up.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am not going to waste words on the question as to whether the tariff can be taken out of politics or not. I regard the idea of taking the tariff out of politics as the veriest clap-trap that ever was talked of by any utterly ignorant person, in parliament or out of it. The tariff is in politics, and will be in politics, and stay in politics, so long as there is a tariff, and will be a burning question therein so long as Canada is Canada. Of that I have no doubt. As to the measure itself, I may say that I would be in favour of creating such a bureau as might be necessary, in the opinion of the Minister of Finance, or the other officers charged with the construction of the tariff, for obtaining information for them, and that it should be permanent, as for example the Department of Insurance is for the purpose of investigating these matters.

But this question of creating a Tariff Commission itself appears to me to be at once unnecessary and mischievous. I can regard this as in no respect anything else than the interposing of a screen between the proper responsible parties, the ministers, and the public at large. I have not the slightest faith whatever in the gentlemen who are going to be appointed being of any service for any other purpose than as a screen. I have no doubt whatever that they will be, as to my knowledge former tariff experts and commissioners were, the agents and tools of the manufacturers of this country, to whom, as my hon. friend and everybody in this House knows right well, the present government owes their existence, and to whom they are bound, I suppose, to pay obedience and tribute. That is what the Tariff Commission will be and nothing else. I entirely agree with my hon. friend that we are going to have tariffs for a long time to come, in all probability for more than the lifetime of anybody whom I now address That is perfectly true. I also entirely agree with him that these tariffs will require a great deal of consideration and care. I cannot agree with him in what he did not so much assert as insinuate, if you will pardon me for saying so, that the Liberal party had made no progress at all towards a freer tariff than that which they found in existence. I may remind him that the measure which we introduced in 1897, specifically referring to manufactures imported from Great Britain, had a very powerful effect in reducing the total amount of taxation levied under the tariff. I noted in the last return that out of $280,000,000 worth, or thereabouts, of manufactured goods paying duties, $82,000,000 came in under what is knwon as the preferential tariff, and about $12,000,000 under special treaty, and that by no means represents (although it shows a large reduction) the real total effect of that tariff, because it must have been obvious to my hon. friend, and everybody who gives the matter consideration, that those articles which are manufactured in

Great Britain and sold in our market, would necessarily displace any manufactured goods coming from other countries, unless they were reduced to the same price at which the British manufacturer would sell them. I do not think the British manufacturer, for a good many years, took at all the advantage that he might have taken of the preference we granted Britain, and I have no hesitation in saying that, if anything like a similar preference had been granted to United States or German manufacturers, very little British goods would be sold in Canada. As to whether the late government went far enough, that is a matter of opinion. I am not going to raise or discuss that point now. We are no longer responsible for the administration of the finances, but I may remind my hon. friend that we went out in an attempt to reduce the tariff on a considerable variety of articles. It was perfectly true, and no man is better aware of it than myself, that a tariff requires careful consideration, but I beg to tell my hon. friend that a revenue tariff is not at all necessarily of a very complicated character. Once you have settled certain broad principles, a revenue tariff requires very little more than a reasonable amount of intelligence and consideration.

Our revenue tariffs when we entered confederation under Sir John Macdonald were not at all of a complicated character, and did not require any very great or elaborate preparation. I grant, on the other hand, that when you attempt to draft a protective tariff you engage in a totally different business. Why, hon. gentlemen, in the case of a protective tariff your first business, almost of necessity, results in this—that whenever you attempt to help one man under a protective tariff you hurt another, and perhaps twenty others, as I have very frequently seen.

Some hon. MEMBERS—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—What is one man's finished product is, almost of necessity, the raw material in other trades. It is a perfectly endless chain. Over and over again, when I have sat on Tariff Commissions, it has been demonstrated, and demonstrated with perfect truth, that if we altered one apparently trifling item it would extend through a great number of other articles in the tariff, and that to do justice to them, all these must be altered to correspond. I need not say usually altered for the purpose of adding very considerably to the duty. Now, there are one or two principles which I am afraid have been very much lost sight of by a great many people, both inside and outside of parliament. One fundamental principle which I have always advocated and felt is this, that you cannot by any possibility increase the wealth of a country collectively by imposing taxes; but I tell you what you can do, you can enormously alter the distribution of that wealth and you can give ten and twenty times as much to one man as to another under your protective tariff.

Some hon. MEMBERS—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—I may tell my hon. friend this—and I do not speak either lightly or unadvisedly—that you will just as easily succeed in making ropes out of the sea sand, as in drawing a just protective tariff. I do not think that the thing is possible, or ever could be possible. How are you going at one and the same time to protect the producer and the manufacturer, and compensate the consumers? There is no treasury in the world that can stand it. You may delude the consumer to a certain extent by giving them a mock protection, as has been done in our tariffs time and time again, but you certainly cannot compensate them for the additional taxation inflicted upon them. I say the thing is a contradiction in terms. You cannot by any possibility reconcile justice and protection together; they are natural enemies, and always will be. It may come to pass in the dim and distant future that the lion shall lie down with the lamb, but there is no such assurance as regards wolves and lambs, and I am perfectly certain of one thing—that the reason why wolves were were not mentioned, is because they will be exterminated long before the millenium, particularly if they appear in sheeps' clothing in the guise of tariff commissioners. I tell my hon. friend that the attempt to construct a just or fair protective tariff is one that Solomon would have despaired of.

The thing cannot be done; it never has been done; I don't believe it ever will be done. All that can be done is to devise plausible explanations for the purpose of deluding the public and persuading them that they are not really being hurt as much as appears on the face of it by the tariff. The whole object and end of this tariff commission will be simply to provide excuses. They will not be there for the public interest. They will not be there for any other purpose than acting as a screen and shield between the government and responsibility. In this matter of tariff the utmost publicity is needed. To a certain extent I believe the amendments introduced by the opposition have given some sort of publicity, though not as much as is necessary. But I tell the House that the utmost publicity that can be given by these commissioners, or any commissioners, will afford but a poor defence. The men on the one side who come applying for aid and assistance in subsidies from the government—because that is what it amounts to—of necessity have a very strong personal interest, and will make the most of their case; they will be constantly beseeching these commissioners, but the ordinary consumer is nowhere. He is not represented, he is not going to be represented, he will have no chance of being represented. His only possible hope is that the government of the day, who are responsible in the long run for these matters, may perhaps take his case occasionally into consideration, particularly if it turns out that the consumers have a reasonable number of members in both Houses to back them, although I am afraid that this commission will greatly interfere with their doing so. I have my doubts whether this Bill can be amended at all so as to make it really useful, but as it is a government measure, it may possibly be well to let it go to the committee and we will try what can be done. I may tell my hon. friend that our experience, when we sat on tariff commissions, was simply this: we found that although very great publicity was given to our proceedings, and although we did our best to have all parties represented, we found that the representatives of the special interests were always in evidence and had a better chance of making their views heard, while the general consumer had very little opportunity. I may tell him further that two things were brought out very clearly; in a great many cases I am bound to say that they proved tolerably clearly that the manufactures in which they were engaged were so ill-suited to the condition of things in Canada, that they could not be profitably carried on without a large state subsidy in the shape of a heavy protective duty. That, they did demonstrate on a great many occasions. But, hon. gentlemen, there they stopped, and they failed entirely—and I am afraid that the parties who come before this commission will fail entirely, to show that the state was likely to receive anything like adequate benefit from the subsidy granted. On that point they fell down altogether, and the nearest approach they made to anything like a philanthropic view of the case was a suggestion, which they were free enough to make, that if a certain additional taxation was granted to them a certain additional taxation must be granted to a considerable number of other parties, whom they sometimes specified and sometimes did not. On that point I admit that they sometimes did show a little consideration. For the general consumer they showed none. For the general consumer they had no sort of sympathy or concern. All they wanted was simply to get the advantage for their own particular selves, and for their own particular interests, and that would be the case with this commission. As I have said, it is a matter of some detail. It may be possible so to amend the Bill, when we have it before us in committee, that we may, to a certain extent, mitigate the dangers that I foresee are likely to arise from it, and perhaps more fully ensure a proper amount of publicity. There is one point on which I may say to my hon. friend that I think he is decidedly in error, and that the government are decidedly in error; I think they have no right whatever to attempt to impose on the community a commission of this kind, except holding office as the commissioners for constructing the Transcontinental railway did, during pleasure. I object entirely to this idea of putting men for a long period of years

practically outside the jurisdiction of the government or parliament. That point, I think, ought decidedly to be amended. There are other matters with respect to the instructions given them, and the mode in which they report, on which, at a later stage, I shall have something to say. As the Bill has come up to us from the lower House, however, I shall reserve to myself perfect liberty of action at a future time, I do not object to it going to a Committee of the Whole.

Hon. Sir MACKENZIE BOWELL—I am not altogether enamoured of the appointment of this commission; but while I say that, for some reasons that have been advanced by the right hon. gentleman who has addressed the House, I am not in a position to allow the statements made by the right hon. gentleman to go without at least some reply. That the tariff question can ever be taken out of politics, I look upon as a totally absurd proposition. To my mind it is one of the highest branches of politics, using that word in its true sense, and giving the word its proper meaning. When I say that, I do not mean party politics, but a system of raising revenue which, in all countries, partakes to a greater or less extent of what we may call the politics of the country. Apart from that, I cannot forget that during the late contest in September, the government of to-day made positive promises over and over again to the people, more particularly in those portions of the country where manufactures existed to a larger extent than others, that a tariff commission would be appointed. But I must be permitted to differ entirely from the right hon. gentleman, when he says that that tariff commission is to be considered as a tool of the manufacturers. The object of the government in view in the appointment of this commission, as I understand it, is simply to make inquiries, as set forth in the Bill itself, to ascertain in what way an equitable tariff can be prepared. If that should be done, I take it for granted it can be a little better done by a special commission whose duty is confined to inquiring into matters brought before them. If in that inquiry those who are engaged in manufacturing industries take more care and more interest in bringing under the notice of the commissioners, the particular state of the trade of the country, how it will affect the industries of the country, that is something which they would be perfectly free to do; and those who are termed the consumers should take precisely the same care. The right hon. gentleman who has just spoken, has referred to the policy of the late government, and has claimed that the adoption of a preferential tariff was a part fulfilment of their promise to adopt free trade. That preferential tariff was inaugurated by first raising the duties upon a large number of imported articles; some from 25 to 30 and 53 per cent. It is true that a provision was made that, after a certain length of time, that duty should be reduced to the extent of 12½ per cent; but any one who has studied that tariff and made a calculation must know that the increase of the tariff, a lowering of the duty by 12½ per cent, made it still higher than the original tariff which had been adopted by the Conservative government and was upon the statute-book. It is true, also, that after the expiration of the second year, it was to be reduced 25 per cent; but even with that reduction the duty upon imported articles was still higher than under the original tariff; and not until the 33⅓ per cent preference was adopted, was the duty brought down one or two, and in a single case, three, per cent lower than it was in the Conservative tariff. Those are points to which I have given a good deal of attention, having had something to do with the adoption, and if I may say so, the making of tariffs; so that all this boasting about the reduction of the tariff under the preferential system, amounts to very, very little indeed.

Apart from the preference, the increase made when the tariff was first adopted still remained upon imports from all countries other than Great Britain and her dependencies. So that when you take the whole tariff and consider it from its inception until its practical working, the reduction scarcely amounts to more than one or two per cent at most. I admit the duties upon some articles were reduced, but that has been the case ever since the

inauguration of the National Policy. Every year the Conservative government, as they found articles were being produced in Canada which could be produced in competition with other countries of the world, reduced the tariff upon such articles greatly. That was going on every year. Some hon. gentlemen laugh at that. I am stating facts, and the tariff of this country will prove the correctness of my statement. I have no sympathy with the assertion that this tariff commission is to be appointed for the purpose of being the tools of the manufacturers. Most people who have watched my political career know very well that I never hesitate to express an opinion in favour of protection. If I thought for a moment that this tariff commission was to be inaugurated for the purpose of assisting in the establishment of industries of this country, even at a higher rate of duty than the one which prevails to-day, it should have my most cordial support. I have never hesitated to express my opinion on the effect which a protective policy has upon the industries of this or any other country. Look at those countries in which protection has prevailed for a number of years, and what do we see? Turning to the United States or Germany or any other country where the protective policy has been in force and carried out to a much greater extent than in Canada, what is the result? Prosperity has followed it. In no country in the world has that fact been established to a greater extent than in Canada. My hon. friend stated that when they came into power they removed the country from a slough of despond and restored prosperity. He forgets the depression of 1878 when soup kitchens were opened all over the country, and when the revenue had sunk to an enormous extent. After the inauguration by the Conservative party of the National Policy the country began to prosper. But we know that in all countries, as the history of the world tells us, after ten or fifteen years of prosperity, there is a reversal of trade, such as was the case in 1875-76, the time to which my hon. friend referred. I have not the slightest doubt that that will be repeated as time rolls on. My hon. friend talks about the taxation imposed upon the consumer. Upon whom would the taxation of the country fall if you had what is termed a revenue tariff? What does it mean? If I understand it a revenue tariff means the imposition of duties upon articles which go into general consumption. If a heavy duty is placed upon tea, it falls upon everybody, the great mass of the people being consumers of that article. My hon. friend says the Conservative party never did anything in that respect. I say that they did. They took the duty off tea and a great many of other articles to which I might call attention. Every one who has studied the tariff knows that that is correct. My hon. friend says it requires no particular amount of brains to inaugurate a tariff for revenue only. I admit it does not require the same amount of thought and consideration as the preparation of a scientific protective tariff demands. My hon. friend gave us the very best illustration of that we have had in Canada. He referred to the time after confederation when the tariff of this country was a general one of fifteen per cent. During the time my hon. friend was in office under the Mackenzie regime, the people asked for an increase of the tariff. Referring to that period in our history of the tariff, Sir Wilfrid, at a banquet in the restaurant a short time ago, said to my right hon. friend who has just addressed the House, that he was willing to sacrifice his own individual opinion on the great question of free trade and consent to a tariff of twenty-five per cent.

Rt. Hon. Sir RICHARD CARTWRIGHT —No such statement was ever made. It is a misapprehension.

Hon. Sir MACKENZIE BOWELL—I am speaking from memory just now, and I accept the hon. gentleman's denial He furnished the best possible evidence that can be given of a revenue tariff not requiring much thought. He does not deny that Canada had adopted a tariff of fifteen per cent after confederation. He does not deny that while he was Finance Minister he raised it. How was it done? It did not require a great deal of brains to raise it all round from fifteen to seventeen and

a half per cent, and that is about what was done. There was no question of investigating whether the seventeen and a half per cent would be an excessive tax on one article, and might destroy the industry which produced another article. If the government desired to raise a large amount of revenue, and follow the example of my right hon. friend when he was Finance Minister, all they would have to say would be: 'We will make everything thirty per cent instead of twenty-five per cent.' What is required is a fair and equitable tariff, based upon scientific principles, and that can only be had after a thorough investigation, such an investigation as is indicated in the Bill. That investigation must be as to the cost of an article from the production of the raw material until it is manufactured. Take iron as an illustration. It requires considerable study to decide what duty should be adopted. You must first consider the first cost of mining the ore. Then what it cost to transform that into bloom, or billet, and then into bar iron, or any other kind of iron. If you adopt the principle of free trade, or revenue tariff, all you have to do is to say we require a certain amount of money and we will put a certain duty upon all these articles, no matter how they are produced.

Hon. Mr. POIRIER—A blind tariff.

Hon. Sir MACKENZIE BOWELL—If you like a moderate protective tariff, a tariff which will increase the industries of the country, and that is what we should have in a new country that is being developed, then that tariff should be properly and scientifically arranged. If we are to judge from the results of the different elections, and from the policy of the late government as carried out from the time they assumed office until the 21st of last September, when they lost office, that principle of moderate protection, or extreme protection, is one which is held by the vast majority of the people of Canada. It will continue to be so until Canada becomes sufficiently wealthy to enable it to act, as England has done in the past, and abandon protection. We are told that in all protective countries tariffs are imposed in order to encourage the different industries, and that it falls heavily on the consumer and that everything is raised in value. If that is true, tell me how it is that in a highly protected country like Germany they are continually pouring their goods into England and competing with the free trade products of that country. We need not go to Germany for an example; go to the United States. Even in Sheffield, we find cutlery from the United States competing with cutlery manufactured under a free trade policy. If we desire to return to the unhappy state this country was in before the adoption of the National Policy, all we have to do is to act upon the principles enunciated today by my right hon. friend, and we shall soon find ourselves again in the soup kitchen position in which we found ourselves in those days.

Hon. Mr. CLORAN—We have got railroads now.

Hon. Sir MACKENZIE BOWELL—From an experience of thirteen of fourteen years in administering the customs duties, I am not so enamoured of the proposed commission as others are, but if they confine themselves, as I take it for granted they will, to the duties imposed upon them by the Bill itself, it will enable the government to adopt a tariff which will be equitable in its character. It will justify the government in dealing with each article on its merits. The very fact that the raw material out of which an article is made may change so greatly in price and value as to render it necessary to make changes to keep up an equitable tariff, is an argument in favour of this Bill. I am somewhat of the opinion that the duties which are to be imposed on this commission are those which have been in the past exercised by the minister, although they will be under his control. It has been said that this commission is to regulate the tariff. Nothing of the kind; there is nothing in the Bill to justify any such view. They are simply to inquire and to report to the ministry of the day, and that report will be the basis of the tariff. They can, therefore, be of great assistance to the minister and relieve him of immense responsibility. They will enable him to obtain accurate information as to the cost of any article from the time

of its original production until it enters the manufacture of any particular thing. It is true, as the right hon. gentleman has said, that a duty which protected one manufacturer may be a tax on the raw material of another manufacturer; hence the necessity of knowing exactly what it costs to produce the one article as well as the other, so as to protect both manufacturing industries, and the consumer. I have never been able to arrive at the economical conclusions which my right hon. friend has reached. We know that when Cobden desired to remove the duty from breadstuffs in England, one of his principle arguments was that the freight which would be paid for carrying the wheat from the wheat-producing countries to the people of England would be a sufficient protection to the home grower. Cobden at that time little thought that wheat would be carried from Canada to England at 3 or 4 or 5 cents a bushel. It used to cost about two shillings and six pence per quarter. The protection which he anticipated would continue no longer exists, and that applies to almost every article. It requires constant study and thought in order to so regulate the tariff as to make it equitable in character, protecting the industries of the country and at the same time not imposing too great a burden upon the consumer. The elections during the last fifteen or twenty years have proved to us that the people of Canada approve of the principle embodied in what is known as the National Policy, and unless I am very much mistaken it will continue to do so for a long time to come. There are certain sections of the country where free trade in certain articles, I admit, would be of advantage. In adopting a tariff in a country like Canada, where the eastern interests are different from those of the west, there must be a compromise in some way. I do not share, I repeat, the sentiment that has been expressed over and over again that this commission is for the purpose of bolstering up and becoming a tool in the hands of the manufacturers. That is impossible if the government has anything to say in the matter. The commission will not regulate the tariff; they will merely report on the facts which are presented to them as to the cost of producing certain articles. It has been urged that their reports should be published to the world. This proposition is absurd.

That would destroy the benefits which are expected to be derived from the appointment of the commission. The commissioners should not be hampered in the discharge of their duties. If it is found that it has the effect, even indirectly, predicted by those opposing the commission, and which has been so plainly indicated to-day by my right hon. friend in his speech, the country will soon put an end to them, or I am very much mistaken in the good sense and judgment of the people of Canada.

Rt. Hon. Sir RICHARD CARTWRIGHT —I should like to correct one statement my hon. friend has made; probably he is not as well aware of what was done in 1897 as I am. The average increase on certain articles was two and a half per cent as against a total reduction of thirty-three per cent. If the hon. gentleman wants to know how the thing has worked out, I see in the very last custom returns that on eighty-two million eight hundred and ninety thousand dollars worth of goods imported under the preferential tariff, the duty was only seventeen millions, which is a very small trifle over twenty per cent, while on those imported under the general tariff the duty was nearly thirty per cent.

Hon. Mr. DAVIS—I am not going to discuss this measure from any partisan standpoint, but from the standpoint of the part of the country from which I come, the western country. It is safe to say that 90 per cent of the people in western Canada are in favour of no tariff at all, and perhaps 10 per cent are in favour of some kind of a tariff. That being the case, when anything is done by way of introducing any new legislation of this kind our people naturally become suspicious, and they are suspicious of this measure that is before us to-day. We know that the only people who have asked for a tariff commission in this country are the members of the Manufacturers' Association. We are quite well aware that in the election recently held, this was made a plank in the platform of the Conservative party, and that they trav-

elled through the country advocating the appointment of a tariff commission. I want to call my hon. friend's attention to the fact that there were several other things which they advocated that they are not so anxious to carry out. But people were naturally suspicious from the fact that the assistance which the Conservative party received at the last election that enabled them to carry the country, was given them by the manufacturers of this country. If it had not been for that assistance my hon. friends would not be in the position they occupy at the present time. If they are in the saddle they can thank the manufacturers for it, and, that being the case, we may assume that these gentlemen are prepared now to demand their pound of flesh.

Hon. Sir MACKENZIE BOWELL—Do not assume too much.

Hon. Mr. DAVIS—We know the facts of the case. The manufacturers have done a great deal to put the present government in power, and they are now in a position to demand that the government deliver the goods.

Hon. Mr. TAYLOR—How does the hon. gentleman know that?

Hon. Mr. DAVIS—We know as a matter of fact that the majority of the gentlemen described as manufacturers in this country were going around parading their loyalty last year, and that these gentlemen were too sensible to believe in the clap-trap they talked themselves. They were quite willing to take advantage of the spirit of loyalty to the empire which prevailed in this country, which enabled them to obtain an advantage whereby they would be in a position to feather their own nests. Who has asked for this tariff commission It is stated that this commission will protect the labourer, the artisan, the agriculturist and everybody.

Hon. Mr. TAYLOR—Did the manufacturers ever ask for a tariff commission to be appointed??

Hon. Mr. DAVIS—The Manufacturers' Association.

Hon. Mr. TAYLOR—No.

Hon. Mr. WATSON—Sure.

Hon. Mr. TAYLOR—No.

Hon. Mr. DAVIS—They claim that they are going to protect the artisan, the labourer, and the agriculturist. How can they protect the labouring man? He has to sell his labour in a free market. We have an immigration policy which brings people from all parts of the earth, and our labouring man competes with a man who is selling in an open market. The only thing you can do for a labourer, or artisan, is to enable him to buy the commodities he has to consume as cheaply as he can possibly purchase them. With reference to the agriculturist, I am quite willing to admit that perhaps in some places in Ontario, and possibly in some isolated districts in Quebec, a few farmers residing close to a manufacturing town may derive some benefit from the so-called home market which the manufacturers talk so much about. The farmer may sell a few carrots, beans or eggs, but the price he receives for the greater portion of the products produced on his farm is fixed abroad, and it makes no difference whether he sells his produce here or outside, he receives the same price. The home market for the agriculturist is simply a myth. I do not think anybody, in this House or out of it, would for a moment claim, by the greatest stretch of the imagination, that there is any such thing as a home market for the people of the west. We have a large surplus which has to be exported. It makes no difference to our people whether their products are consumed in Ontario, Quebec or any other province, the price that they receive for them is fixed by the export price abroad, and they receive no benefit from it. Therefore the home market is simply a myth, and as far as the people of the west are concerned, every time they purchase a dollar's worth of goods they put their hand in their pocket and take out a dollar to pay for the goods, they hand 20 cents to some gentleman in the east, from whom they receive no benefit, and he puts it in his pocket and smiles and tells them how loyal he is. Hon. gentlemen can understand the feeling of our people. They say: 'It is bad enough for you who have control of things in the east to dictate to us where

we shall buy the commodities we have to consume, but when it comes to dictating to us where we shall sell the products of our farms, we think it impertinence, and you are going too far.' I want to warn the gentlemen who have control of matters at the present time, and the manufacturers of the country, that they should go mighty slow, because they are straining the cable that is attaching the west to the east to the breaking point, and some day they may hear it snap. I would prefer that nothing of that kind should take place. I believe we have a great federation, and we should all work together to build up a great country, but there must be give and take in this country. The whole thing must not be all on one side. As the tariff is fixed to-day you have everything and we have nothing.

Hon. Mr. TAYLOR—Who fixes the tariff?

Hon. Mr. DAVIS—Its the same old story of 'You're another.' They say, 'You were in power for fifteen years.' I am not defending the tariff made by our friends. I am quite willing to admit they did make some reduction, but they did not make the reductions I thought they were going to make. If they made a mistake is it a reason why the gentlemen who are now in power should follow in their footsteps? I desire to point out that our people did make some material reduction and tried to make more. The British preference has been referred to. There was some dispute as to the result, but I assume it must have been of great value to the people, because from the Atlantic to the Pacific, the producers of this country—and when I speak of producers I mean agriculturists, the men who are making the country, producing the wealth from the soil, the class of men who have something to gain by this—are asking for an extension of that preference to fifty per cent; but I am afraid they are not going to receive what they are asking for. I have made the statement that the late government did something. I assume some of my hon. friends are aware that they made a great deal of reduction in the tariff. There was, as I remember, something which is known as specific duties in the late tariff, introduced by Mr. Foster, and under these specific duties the poor man was obliged to pay about 33⅓ per cent more than the rich man. They had a duty of one dollar a dozen on cheap shirts, or so much a pound on grey blankets, or on the raw material, and the poor man was paying 33⅓ per cent more than the rich man for the commodities he required, and that was wiped out. They also made reductions in other lines. I do not want to allude to what has been done; I am talking about what is going to be done. We assume you cannot take the tariff out of politics. The tariff commission is to be appointed, composed of three men, for the purpose of securing information. I understand the Minister of Finance is not very well satisfied, and he wishes to obtain information. If he wishes to obtain information, he can take other ways of getting it without appointing three partisans, because after all they will be protectionists. A gentleman very largely in the confidence of the government in another place made the statement that they would have to be protectionists. If you are going to send out three gentlemen the length and breadth of this country to obtain evidence, these gentlemen will select the evidence the government want. We naturally assume that the evidence will be along the lines which are suitable to their own views, and the government of the day. That is the kind of information you are going to base the tariff upon. I assume if the Minister of Finance is going to have any use for these gentlemen at all, he must be prepared——

Hon. Mr. LOUGHEED—I am satisfied my hon. friend would not wilfully misrepresent the provisions of the Bill with reference to that particular phase with which he has dealt. The Bill makes the widest possible provision that all parties may be heard at the meetings of the commission. It is not the intention that the commissioners should exercise their discretion as to the information that they should collect, but that the widest possible opportunity should be given to the public to give the commission the information they may possess, touching whatever facts may be under investigation. If my hon. friend will look at clause 5 he will find that that provision is made.

Hon. Mr. DAVIS—I quite understand the point my hon. friend is trying to make, and I quite understand also that if there is such a provision, it is because a couple of amendments moved by the opposition in another place were inserted in the Bill which should partially relieve the situation, but to my mind it does not. As I read the Bill, I do not understand that they are obliged to take any and all evidence that may be offered. If my hon. friend opposite reads it that way, it is a different matter. They may separate the sheep from the goats, and select the parties they desire to hear. I do not say that they will do this, but they can do it, and if three protectionists are appointed by a government in sympathy with protection, we must remember that human nature is human nature, and assume that they will try to advance arguments to bolster up their own case. The commissioners are to receive very large salaries, I understand, very much larger than the salaries of some of the cabinet ministers, and if their salaries are larger than those of the gentlemen they represent, they must intend to accept their advice. If not, why is the government appointing them? In the western country we are suspicious of this measure, coming on the heels of what took place last fall. They think it is put up as a screen to enable these gentlemen to get a little more than they are getting at the present time, and the Lord only knows they are getting enough.

As far as our people are concerned, they are getting a little too much. We find that Mr. Cockshutt is selling his ploughs for less in the United States than he is selling them to the Canadian people. Still he is one of the gentlemen who waved the old flag last fall and told us how loyal he was. The noble 18 in Toronto waved the flag. They are very patriotic when it comes to getting something for their own pocket, they were so-called Liberals. I want to say here now that the ordinary people of this country must recognize that partyism has been worked too much in this country; so has the loyalty cry been worked too much by designing people who are seeking their own benefit; and I hope the time will come when they will not be able to work either the loyalty or the political cry, and that the people of western Canada will send men to parliament who will stand shoulder to shoulder and fight for western interests irrespective of party. When that comes about, together with the natural growth of our country, we are going to have something. The people in the country last fall were blindfolded, carried away in bypaths and highways with all kinds of stories and stuff, so that we never had a fair trial of the proposition that was submitted. If we had secured reciprocity we would this year have been able to market the produce that we have in the west; we would have got a market to the south of us for our wheat; but now our people have to stand and see the wheat rotting on the ground. Just think what brought about that state of affairs. A good many are so avaricious in the east that they were not willing to recognize that there are two parts of this country; they think they are the whole thing. Those of them who live in Ontario will tell you that Ontario is the milch cow; and I suppose the people in Quebec will tell you that Quebec is the milch cow. If we ask for anything in the west that we consider at all fair they say: 'Why, you belong to us; we furnished the money which bought the country; we sent you out there; we made it; you are there for the purpose of being hewers of wood and drawers of waters for us'. But we object to that, and I want to say here now that from my standpoint this talk about Ontario being a milch cow should cease. A certain class of men in Ontario had the benefit of the National Policy since it was in force up to 1896, and they kept the rest of the country as a milch cow for their benefit. Up to 1896 very nearly all the manufacturing in this country was done in Ontario. They had a protective tariff of thirty per cent and over. There was a wall built around this country, for whose benefit? For the benefit of a few manufacturers in Ontario; and those are the men who will tell you that they are the milch cow at the present time. Those men had the National Policy passed; it came in force, and what was it supposed to do? What was their own argument in favour of it? They said they wanted to protect the infant industries so that they would be able to build them up.

Well, the Conservative party was in power for eighteen years, and they claim that our people kept the same policy in force for fifteen years; surely in thirty-one or thirty-two years those poor struggling infants ought to be able to walk. Is it necesary to keep a sucking bottle still up to their mouths ? Will they ever reach such a stage of development that the sucking bottle will not need to be used ? I should like to find that out. Further, we were told that the farmers, the artisans and the people of this country generally need not be in fear about this policy raising the price of the commodities they have to consume, because competition would regulate prices; we would have competition because we were going to build factories all over this country, and competition would keep prices down so that nobody would be taxed more than he should be in the way of high prices. Where is your competition ? What has developed? Mergers and trusts and combines all over this country until it is getting pretty nearly as bad as the high protection country across the line. A few men control every line of business in this country. Half a dozen of them can sit around a table and arrange prices, and if they can get the government of the day to put a high enough wall to keep anything from coming in, they can simply put their hands in the pockets of the people and take out anything they want as far as the tariff wall will allow them to do it. That is the condition of things. We were also promised when the National Policy was introduced that we could have reciprocity. Sir John Macdonald promised that. He said: 'Of course you may have to submit to a little taxation for the benefit of our poor struggling infant industries, but as an off-set to that, we will give you reciprocity in natural products as soon as those bad fellows across the line will agree to it.' That was the policy of the Conservative party. They have gone back on the whole of it and now what do they promise ? A tariff commission of three men, junketing around the country to enable the manufacturers to put their hands down a little deeper in the pockets of the people. They tell you that they are going to protect the artisan, the labourer, the agriculturist, and all that; but, if they want to do any such thing why don't they appoint an industrial commission representing every interest in this country that should be represented, to see that justice and fair play are done to everybody in this country ? We want to investigate those mergers and combines. We may want to go down to Valleyfield and find out how those people down there come to earn such dividends as they do upon their capital.

Hon. Mr. LOUGHEED—This makes provision for it.

Hon. Mr. DAVIS—Yes, but I should like to see an independent man get at the facts of the case as one of the commissioners—a man whose heart is in the right direction; but if you are going to take a man whose heart and whose sympathy are with the manufacturers and the combines, it is very little information we will get. Would it be wrong for us to ask that the labouring people of this country, who are organized from the Atlantic to the Pacific, should have a representative man on this commission? Surely they should be asked to nominate one man to look after that interest. Is the great agricultural interest of this country not of sufficient importance to be recognized by putting a man on a commission of that kind, when it means the very life blood of taxation? I say that agriculture should be represented. Has it come to this, that there is only one class of people in this country that is to be recognized—those gentlemen who call themselves manufacturers? If that is the only class of people, and all the rest of us have to be hewers of wood and drawers of water for them, it is pretty nearly time that the people of this country should know it. What argument can there be against giving the labouring and agricultural people representation on that commission? You would then have a commission that would be a commission; and you would get information that would be information; you would get facts that would be facts; you would get right to the bottom. If you had three gentlemen sitting there, one representing the labour interest, one the agricultural and one the manu-

facturing industry, to investigate any of those trusts and combines, rest assured that, if they put the right men on there, they will get to the bottom of these things; but I must say that I have very little faith in the commission that it is proposed to appoint, and I do not think the people of our country have very much faith in it. The time is coming when our people will wake up, and when the partisan cry cannot be worked as it has been in the past. They will refuse to send men to this House who are going to stand up and furnish arguments that will lead to the spoilation of their constituents. Such men will be put on the scrap heap, and men, whether Grit or Tory, will be sent down who will look after the interests of the people of western Canada. You talk about a scientific tariff. That is a very fine word; that is a new word that they have coined. I have a suggestion to make in connection with this scientific tariff. You would imagine that nobody had any interest in this great country of ours except the few men who happen to be manufacturing rakes, wagons, and other things of that kind. You would imagine that all the rest of the great consumers of this country and all the producers of agricultural wealth had no interest in the future welfare of this Dominion; that only one class of men were loyal, and only one class had the interest of upbuilding this great country. Now, those gentlemen claim that we must have a wall around the Dominion, because we want to keep our trade for ourselves; we want to have the trade of Canada for the Canadians. But how many Canadians? Not a great many. Is it just a few Canadians who are manufacturing things, or is it for the whole of our country? That being the case I submit that the western country should have a fair deal just as well as the men who are crying 'Canada for the Canadians.' Now, if it is true, as those gentlemen say, that it is necessary to build a wall around this country so as to keep the trade of Canada for ourselves, and everybody agrees that we must in some way have a revenue to develop this great country—how would it do to submit a proposition of this kind, that if necessary to protect those industries those gentlemen—who are not avaricious at all, who are great patriots, who do not want that protection for the purpose of making more money, but who want a tariff wall built to keep Canada for Canadians and not for profit. Supposing we say to those gentlemen, assuming your argument is right, we will raise a tariff wall around this country so that the trade can be kept for the Canadians, but as we want a lot of money for developing this great country we will put a twenty per cent duty against goods if you will allow an excise of ten per cent to be put on what you manufacture here, thus giving you a clear ten per cent on the goods?' That would go into the treasury; we would have money to put into railroads; we could build them out of the revenues of the country. If those gentlemen are patriotic, why should they object to a scientific proposition of that kind, if we enable them, by building a tariff wall so high, to get 20 per cent more for what they manufacture than they could get if that wall were not there? Surely it would not be too much to ask that an excise be put on their products of one-half the amount of the duty, and that would go into the treasury of the country for the benefit of the country. Do you think they would agree to that? They are very loyal. They go to the English people and wave the flag, and play 'The Soldiers of the King' at every public meeting; but are they willing to give a little more to Great Britain in the way of a preference on her goods coming into this country? They will tell you that the woollen industry will not stand it. Why will not the woollen industry stand it, or why will the cotton industry not stand it? My hon. friend has alluded to the fact that what is one man's manufactured product is another man's raw material. That is very true. Take the item of shirts. Those people in Valleyfield manufacturing cotten and cambric, &c., have free raw material, and have a protective duty of something like thirty per cent on the manufactured goods brought in here. The man who manufactures shirts gets 30 per cent on his manufacturing shirts, but the man who manufactures shirts has to go to the other man who manufactures cambric, and it does not matter whether he buys it from him or Great Britain, or any other place

in the world, the price would be the same. How much benefit would the shirt man get out of that? Or is it not the gentleman who manufactures cotton who is getting the whole of it? Woollen goods are in the same position. You can take a manufacturer of furniture, on anything that enters into the cost of the article he produces, except raw lumber, he has to pay a duty; but wool comes in free, and the woollen man is put in a better position than any other man. Now, the two main industries in this country which have always been advocating higher duties—the cotton and woollen industries—are afraid that if we have a little extension of the British preference it will injure them. I should like to see us give a little more proof of our loyalty than merely shouting from the house tops. That is about as far as it has gone at present—the waving of the old flag and so on. The Liberal party did give evidence of it not only in the Boer war, but when they introduced the British preference. Those two occasions gave evidence of wishing to do something for the mother country and British connection. Surely they did something also in their naval policy towards showing that our hearts are in the right place. Now, if our friends will only give us an increase of the British preference to 50 per cent they will show that they are doing something to assist in bringing in a better state of affairs between us and Great Britain. They might also go on with the navy and build a few more ships to show that their hearts are right, and so on down the line. When the ledger is balanced up to date the balance is in favour of the Liberal party, as far as loyalty is concerned, for they have actually done something while the other gentlemen have talked and waved the flag. Now we ask them to stop talking and do a little something to give evidence of their bona fides, to show that they expect and want to do something for British connection in this country. That is a fair proposition, and it would be so easy by just advancing the British preference and having more British goods coming here. I dont go round waving the flag, but I long and hope to see the time when we will be able to give the same preference, and up to 50 per cent, not only to the British Isles, but to every country that floats the British flag. Why should we not have it? Why is it that we have not got it? A few gentlemen, like the noble eighteen in Toronto, parade their loyalty at such times as they think their pockets are a little in danger; but the great mass of the people in this country will be willing to go that far and a little further. This tariff commission will not be agreeable from the standpoint of western Canada. We would have favoured the appointment of an industrial commission, on which all classes of people in Canada would be represented; but a tariff commission of three partisans will not be acceptable to our people in the west. I do not use that word 'partisans' in an offensive sense, as applied to men who are Conservatives; I do not care if the government appointed three Liberals, if they were protectionists, or took them from the 'noble eighteen' in Toronto, they would be just as much partisans as the three Conservatives who might be put on the commission. What I mean is that if you put people on the jury who have already made up their minds what the verdict is going to be, what kind of a trial are you going to have?

Hon. Mr. POIRIER—But they are not going to render a verdict.

Hon. Mr. DAVIS—I have already pointed out that if the Minister of Finance is not going to take the advice of this commission he had better not appoint them at all. What is he sending them out to get information for? He is paying them big salaries to get information, and I assume that he is going to get information, but my point is that the information that he will get will be biased, one-sided, and such as will lead to an uplifting of the duties in place of a lowering of the duties, and as a man from the western country I protest against it in the name of our people up there, because I think it is an unnecessary expenditure of public money in the first place. What is the use of talking about taking this tariff out of politics? The people are not going to allow the tariff to be taken out of poli-

tics. They are not going to be taxed without representation. Trouble has arisen in many places in the world because of that; but if you are going to take it out of the government's hands and put it in the hands of other persons, you have no remedy at all. The people are going to hold the government responsible, therefore you cannot take the tariff out of politics. That being the case, we want to get the right kind of information, and in order to secure information I say that we should appoint a commission representative of all parts of the country. I warn those gentlemen who are at the head of trusts, mergers, combines and everything of that kind that western Canada will not submit very much longer to high protection, more particularly if you come up and dictate where we shall buy and where we shall sell. We will not submit to that sort of thing. Are we hewers of wood and drawers of water, or are we freemen, that we cannot go and sell the produce we get off our farms where we can get the highest price? Do you think it is a nice thing for a man to see his neighbour getting 50 cents more for his barley across an imaginary line than he could at home? And for whose benefit? Not to diminish the revenue of the manufacturers, for there was nothing that interfered with their pound of flesh, but simply that they were afraid that it would be the thin edge of the wedge and that it would lead to the freedom from slavery in the western country. Now, I say that our people will not long submit to that sort of thing. We are patriotic enough, and want to see this country hang together. The new people that are coming into the Dominion want to see us all united as one great country, and the humbug that we hear about annexation was an insult to the intelligence of the people of Canada; it was merely a myth in the minds of the people down in this part of the country, and interested gentlemen used that cry for their own benefit. There is no such sentiment as annexation in western Canada. Our people want to sell at the highest price. You might as well say that because England has the largest trade with Germany they will become Germans. Cannot we trade with the United States without becoming Americans? If a man has ten or fifteen steers in a pasture why should he not sell to the man who offers him 15 or 20 per cent more than a man from Toronto? Can he not take that larger price without being an American? The thing is ridiculous. We traded with the United States last year to the extent of four hundred million dollars without any sentiment of annexation or disloyalty. Where are we going to stop? If we trade to the extent of eight hundred million, is that the breaking point? Is the loyalty of this country to be measured by dollars and cents? I say it is an insult to the people to put up such a foolish argument as that. The people of our country, no matter where they come from are perfectly loyal. Those men who have taken the oath of allegiance to the British Crown want to live under the British flag. They came to this country because they preferred our system, and our laws to those of the United States and other countries, and they come here to make their homes and bring up their families here as good Canadian citizens, and I say that there is no annexation sentiment. The suggestion is thrown out that because a great mass of people have come from the United States the sentiment of annexation exists in this country; but I say there is no truth in that statement.

I never heard it expressed at the election, before the election, or since the election. We want to stay in this great confederation, but we want a square deal. I want to point out to you gentlemen down here the great growth of population and the great growth of wealth that is taking place in the western country. History is repeating itself. The United States started with thirteen little colonies on the rockbound coast of the Atlantic ocean, and from that came the settlement of the middle and western states until you travel right through to the Pacific ocean. To-day the greatest influence of the United States is in the western and middle states. The same thing is going to take place here, because we have the soil and climate and we can produce the wealth. Inside of ten years we will be selling more wheat than will feed England, and a couple of other countries. We must look for a

market for that wheat. We cannot allow it to stand and rot. Yet I want to say this to my hon. friend who represents the government in this House, that it is their duty when they bring people into the country, to provide means for the transportation for their product, and the next thing they should do is to provide a market for that produce. The late government has gone a long distance in providing transportation facilities but they are not sufficient. I am glad to see that this government is going on with the Hudson bay road. We must come back to the fact that we have to provide a market for our grain, and in order to secure that market, we must sell the grain to anybody who comes along to buy it, and our best market is in the United States. I say our people are satisfied, that we have a great confederation, and every man in that country wants to take part in building up this country, but we want a fair deal, we want a fair show. It is all right to canvass the men around the mills who may have their own houses and tell them that if a certain thing comes in force it will mean that their property will become of no value and the mill must be closed. It is all very well to tell a farmer who sells a little truck to the manufacturing towns that it is going to ruin him. It might do these people a little harm, I do not believe that it would, but supposing that it did. This is a great big country. Look at the stretch of land and rock that we have between eastern and western Canada. Look at that stretch of country. If anything is done in this great country it must be as a matter of compromise; you must give and take. If the manufacturers imagine that they can go on taxing our people 20 cents on the dollar—and the duties are up to that—for every dollar's worth of goods we buy, and if these manufacturers also wish to interfere with our right to sell, then they will find that they are digging their own grave. The time will come when they will not get anything at all, because just as sure as the sun rises the west will control the destinies of this country in a very few years. We are going to have 21 more seats in the west according to the last census, and eastern Canada will get ten less. What does that mean? I ask my hon. friend to study the immigration figures, and see what they started with in 1897 and follow the figures up and see the little streams of immigration starting to get bigger, and coming up and up year after year, until last year it was close to 400,000 souls coming into this country. That small stream will continue to enlarge until it becomes a great river. The time is not far off when we will be getting one million, yes, two milions of people into this country in a year. Most of these people settle in the west and we are going to control the Dominion. The west is making Canada. The national policy did not do it, the development of the west did. We have three crops a year, one of grain, one of money brought in by immigrants and one of money borrowed on our own securities to develop transportation and build railways and towns. All this vast amount of money is flowing into eastern coffers, that is what has made Montreal and Toronto, that is what has built up Canada. We are not talking about taking a broad axe and cutting this country in half at Port Arthur. I would rather wait until we get control and then put these gentlemen in the place where they belong. I ask you to consider whether it would not be better to be magnanimous, and show a good spirit, and say we know what is coming. The day is coming when we will not be able to take so many plums off the tariff tree, good fat plums at that, and we will recognize that the people in western Canada have some rights. If you will do that you will find that you will have a better sentiment in the country, a more contented people, and a more prosperous country. I am not speaking of this from a partisan standpoint. I believe partisanship, as far as our country is concerned, is pretty well played out. The man who does not stand for the sentiments I have expressed, in western Canada will have no chance at the next election of getting back into parliament.

Hon. Mr. CLORAN moved the adjournment of the debate.

The motion was agreed to.

SECOND READINGS.

Bill (99) An Act respecting the Ottawa, Montreal and Eastern Railway Company. —Hon. Mr. Davis.

Bill (S 2) An Act to incorporate the International Guarantee Company.—Hon. Mr. Pope.

CIVIL SERVICE ACT AMENDMENT BILL—AUDITOR GENERAL'S DEPARTMENT.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (113) An Act to amend the Civil Service Act. He said: The object of the Bill is to permit the Auditor General to appoint temporary clerks for a longer period than six months, which is the limit now fixed by the Civil Service Act. It is pointed out that invariably it takes longer than six months to deal with the various matters that come before the Auditor General after a general election, and it is, therefore desirable that those clerks should be appointed for a period not exceeding two years.

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

BRITISH CANADIAN LOAN AND INVESTMENT COMPANY BILL.

REFERRED BACK TO COMMITTEE.

Hon. Mr. GIBSON moved concurrence in the amendment made by the Standing Committe on. Banking and Commerce to Bill (C 2) An Act respecting the British Canadian Loan and Investment Company, Limited.

Hon. Mr. BELCOURT—I move in amendment that the report be not now adopted, but that the Bill be referred back to the Committee on Banking and Commerce. I make this motion for the following reasons: This Bill was read a second time on the 29th February, 1912, and it was considered and reported on by the Committee on Banking and Commerce on the 6th of March. Rule 119 of the Senate has been completely ignored. The Bill has not been posted, and was considered before the expiration of the time during which it should have been posted. I should not avail myself of the rule were it not for the fact that the parties interested in the Bill had no opportunity of appearing before the committee, and were greatly surprised to hear that the Bill had been dealt with by the committee, and they had declared the preamble not proven. I think that objection is amply sufficient, but there is another objection which I might perhaps mention.

Hon. Mr. GIBSON—I am sure, under the circumstances, there will be no objection to a reference of the Bill back to the committee.

Hon. Mr. BELCOURT—I am quite satisfied.

The motion was agreed to.

THIRD READING.

Bill (B 2) An Act to incorporate the Montreal Transcontinental Railway Company. —Hon. Mr. Beique.

BILLS INTRODUCED.

Bill (46) An Act to incorporate the British Trust Company.—Hon. Mr. Young.

Bill (80) An Act to incorporate the Dominion Trust Company.—Hon. Mr. Young.

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

THE SENATE.

FRIDAY, March 8, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

PEACE CENTENNIAL.

INQUIRY.

Hon. Mr. DAVIS inquired:

1. Is the government aware that a committee has been organized in the United States to arrange for the celebration of the anniversary of one hundred years of peace amongst the English-speaking people?

2. Has the government had any communication from the said committee? If so, what is the nature of the correspondence?
3. Is it the intention of the government to take part in aforesaid celebration? If so, what action will be taken?

Hon. Mr. LOUGHEED—The first answer is, the government understand that such a committee is being organized in the United States. The reply to the second is, no, and to the third, the subject has not been considered by the government.

I might say to my hon. friend that this matter has been taken up, not officially, but rather by individuals.

Rt. Hon. Sir RICHARD CARTWRIGHT--Has not Mr. Andrew Carnegie expressed a desire to aid in the matter?

Hon. Mr. LOUGHEED—I understand this movement is being promoted by individuals. Our government have not yet taken it up officially. Whatever individual action has been taken has not yet resulted in anything officially being done. If the government should take it up I shall be glad to report it to my hon. friend.

Hon. Mr. DANDURAND—I suppose my hon. friend knows that a Bill is before the state legislature of New York asking for an appropriation of five hundred thousand dollars as the expenditure to be made by the state of New York. I saw a Bill that was moved by Senator Burton, at Washington, asking for the organization of a federal commission which would get in contact with the citizens' organizations throughout the United States, Great Britain and Canada, and in which an appropriation of seven million five hundred thousand is asked as the contribution of the United States towards the celebration of the centennial. Of course, that is a very large sum. I do not know what Canada will do. We must not forget that this celebration is one which is sought to be made between Great Britain and the United States. I know that a committee has been appointed in Great Britain, which is presided over by our late Governor General, Lord Grey. I also know that Great Britain intends, according to the formation of that committee, composed of very influential citizens, to take part in the celebration. I suppose if Canada does something it will be in conjunction with Great Britain.

Hon. Mr. LOUGHEED—Certain public men in Canada responded, to a certain extent, to the communications which have come from the United States. In fact, some similar action is probably being taken now as that indicated by my hon. friend, that may possibly result, and will probably result in the government taking it up officially, but as yet it has not reached that point.

Hon. Mr. CLORAN—As far as the matter of expense is concerned, the United States contribute about seven and a half million. We have no objection to Canada paying its fair share.

Hon. Mr. POWER—I notice that the hon. leader of the House has not said anything to commit the government in connection with this matter, and I am very much impressed with his prudence, because I think, after the tone that was adopted by the supporters of the present government during the recent campaign, they would really feel certain qualms of conscience in undertaking to celebrate 100 years of peace with a country with which they have expressed a desire to have no truck whatever.

Hon. Mr. LOUGHEED—The government does not view the situation as my hon. friend from Halifax does.

TERRITORIAL CLAIMS OF SASKATCHEWAN.

INQUIRY.

Hon. Mr. DAVIS inquired:

1. Have any representations been made to the government at any time by the people of Saskatchewan through their representatives or by the provincial government of that province claiming rights to certain territory formerly in the provisional division of Saskatchewan, and running from the present boundaries of the said province to the shores of Hudson bay? If so, what were the character of the representations?
2. Were the claims of Saskatchewan taken into consideration when the decision to extend the boundaries of Manitoba was arrived at?

3. Was the Saskatchewan government notified to attend the conference supposed to have been held by the representatives of Ontario and Manitoba with the government to arrange said matter?

4. Will the government grant to Saskatchewan the same terms as are given to Ontario with reference to giving right of way to the bay?

Hon. Mr. LOUGHEED—My hon. friend yesterday read a telegram sent on behalf of the provincial government of Saskatchewan to the government of Canada touching this question, and in answer thereto the following telegram was sent by the Prime Minister:

Ottawa, March 7th, 1912.

Hon. J. A. Calder, M.P.P.,
Acting Prime Minister,
Regina, Sask.

I beg to acknowledge your telegram of yesterday. Legislation now before parliament does not contain the provision alluded to. The province of Ontario considers it desirable to extend its state owned railway to a port on Hudson bay. For this purpose the Governor in Council has passed an order granting to that province a strip of land five miles in width from the western boundary of Ontario to the mouth of the Nelson river. This grant is made by virtue of the federal ownership of the land within the extended boundaries of Manitoba. In case the province of Saskatchewan should undertake the construction and operation of a state owned railway to the shores of Hudson bay this government will be glad to give to its proposals the most careful and earnest consideration. May I point out, however, that apart from this the claim of Saskatchewan was disposed of by the late administration. On the 13th July, 1908 Sir Wilfrid Laurier expressed the decision of his government with regard to the claim of Saskatchewan in the following words: Begins 'after giving due consideration to this claim on the part of the province of Saskatchewan it seemed to us that, as between the claim of the province of Saskatchewan and of the province of Manitoba to have the territory which lies north of Manitoba and east of Saskatchewan allotted either one way or the other, the weight of argument was certainly in favour of Manitoba and we could not grant the prayer of Saskatchewan. We therefore had to ignore it.

I think this fully answers the question of my hon. friend which appears on the order paper to-day, with the exception of the third inquiry, and the answer to that is that no such conference, for which this government is responsible, has been held. If there was such a conference between Manitoba and Ontario, it was owing to the joint action of both provinces and not at the instance of this government.

Hon. Mr. WATSON—I should like to ask if the same answers with regard to Saskatchewan not having any right on the bay, which was disposed of by the late government, does not apply to Ontario, as well as Saskatchewan.

Hon. Mr. LOUGHEED—No. I would suggest to my hon. friend that if he will look up the 'Hansard' of 13th July, 1908, he will find Sir Wilfrid Laurier, in the House of Commons, made a speech dealing with the rights and claims of both provinces.

Hon. Mr. WATSON—The three provinces --Ontario, Manitoba and Saskatchewan?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. WATSON—The boundary line on the east side of Ontario has been interfered with.

Hon. Mr. DAVIS—I would like to draw the attention of the House to the fact, with regard to the statements which Sir Wilfrid Laurier made at the time when discussing this proposition, that no definite action was taken in regard to extending the boundaries of Manitoba at that time; but at the present moment it assumes a concrete shape, because we are dealing with it, and it is, therefore, proper for Saskatchewan to send in its claim.

It seems to me that the telegram sent by Mr. Borden will not, and should not be satisfactory to the people of Saskatchewan. He says that the province of Ontario is building a state owned railway to the same place. There is no intention of the kind expressed by any one in Ontario, and we must assume that the province of Saskatchewan will have the same rights, with the idea in the future, if Ontario should extend a state owned railway to Port Nelson, of getting similar rights. Ontario is getting a strip of territory along Hudson bay which in the future, when towns and cities are built upon it, may be worth hundreds of millions of dollars. Saskatchewan is more likely than Ontario to build a state owned railway, being the great grain raising province. Saskatchewan has been the prime

mover in the construction of a railway to Hudson bay, and we are entitled to the same consideration as Ontario has received in getting a strip of territory alongside of the Nelson river. If Ontario has it on one side we should have it on the other, especially as that territory was formerly subject to our jurisdiction in the days of the territorial council.

The SPEAKER—I call the attention of the hon. gentleman to rule 39, which provides that no debate is in order on a mere inquiry, but explanatory remarks may be made by the senator making the inquiry, and by the minister, or another senator answering the same. Observations upon any such answer are not allowed.

Hon. Mr. DAVIS—I have just one word more to say; I wish to get information with reference to question No. 3—was the Saskatchewan government notified to attend the conference? I submit there must have been a conference, because it is so stated in the press, and the representatives of Manitoba and Ontario were here in connection with it. This government knowing that Saskatchewan had put in a claim should not have ignored that great province, but should have invited them to take part in the conference. It is not treating Saskatchewan with proper courtesy.

MOTION.

Hon. Mr. DAVIS moved:

That an order of the Senate do issue for a return of all memorials, petitions, letters, telegrams and documents relating in any way to the claim of the province of Saskatchewan to certain territories running from the present boundaries of the province of Saskatchewan to tide water on Hudson bay.

He said: The Manitoba Boundaries Bill is now before the Commons and is likely to be dealt with finally, probably to-day or Monday. I want to get these papers for the purpose of drawing the attention of the leader of the House to the matter, and so that we can intelligently discuss it when it comes to this House. There are certain memorials, documents, telegrams, &c., that have passed between the government at Ottawa, and the government of Saskatchewan in reference to this matter. I want to be prepared to place the position of Saskatchewan before this House if the matter is not dealt with fairly by the other House. I need not go any further into the matter now, because I will deal with it when I get the papers. I am satisfied that Saskatchewan has a good claim. We owned this territory which is now so generously handed over to Manitoba without consulting our people. It was under the jurisdiction and controlled by laws passed by our legislature, which granted certain rights and privileges to the people in that territory. When the territory was cut off and thrown into 'no man's land' to be disposed of later on, I assumed that the rights of the people there would be respected. They were respected in the province of Saskatchewan when it was given a constitution, and we expect that the people there will have their rights and privileges guaranteed to them. I am not going to discuss the matter further, until the proper time. We expect we are going to be treated, if not with courtesy, at least with justice, and we expect that we are going to get the territory that belongs to us.

The motion was agreed to.

BILL INTRODUCED.

Bill (W 2) An Act to incorporate the Capital Trust Corporation, Limited.—Hon. Mr. McSweeney.

THIRD READINGS.

Bill (K2) An Act for the relief of Isobel isaac.—Hon. Mr. Talbot.

Bill (W) An Act to ratify and confirm certain agreements between The Temiskaming and Northern Ontario Railway Commission and the Grand Trunk Railway Company of Canada.—Hon. Mr. Gibson.

Bill (L 2) An Act respecting Mexican Interurban Electric Traction Company, Limited, and to change its name to 'Mexican Interurban Electric Railway Company, Limited.—Hon. Mr. McHugh.

Bill (56) An Act respecting the South Ontario Pacific Railway Company.—Hon. Mr. McMullen.

Bill (N) An Act to incorporate the Dominion Pacific Railway Company.—Hon. Mr. Edwards.

Bill (82) An Act to incorporate the Northern Territorial Railway Company.—Hon. Mr. Watson.

Bill (67) An Act respecting the Interprovincial and James Bay Railway Company.—Hon. Mr. McHugh.

Bill (R 2) An Act to incorporate the Prince Edward and Hastings Railway Company.—Hon. Sir Mackenzie Bowell.

Bill (F 2) An Act respecting the Grand Trunk Railway Company of Canada.—Hon. Mr. Derbyshire.

Bill (E 2) An Act to incorporate The Ottawa and Lake McGregor Railway Company.—Hon. Mr. Belcourt.

Bill (D 2) An Act respecting The Alberta, Peace River and Eastern Railway Company.—Hon. Mr. Douglas.

Bill (I 2) An Act respecting the British Columbia and Dawson Railway Company.—Hon. Mr. Bostock.

Bill (J 2) An Act respecting the Vancouver, Fraser Valley and Southern Railway Company.—Hon. Mr. Bostock.

Bill (36) An Act respecting the Barcelona Traction, Light and Power Company, Limited.—Hon. Mr. Beith.

Bill (50) An Act respecting the Ontario and Ottawa Railway Company, as amended.—Hon. Mr. Derbyshire.

Bill (79) An Act respecting the Alberta Railway and Irrigation Company.—Hon. Mr. De Veber.

Bill (81) An Act to incorporate the High River, Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. De Veber.

Bill (73) An Act respecting the Vancouver Island and Eastern Railway Company.—Hon. Mr. Mitchell.

SECOND READINGS.

Bill (54) An Act to incorporate the Quinze River and Ottawa Railway Company.—Hon. Mr. Bostock.

Bill (94) An Act respecting the Windsor, Chatham and London Railway Company.—Hon. Mr. Pope.

CIVIL SERVICE ACT AMENDMENT BILL.—CIVIL SERVICE COMMISSIONERS.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (104) An Act to amend the Civil Service Act.

(In the Committee.)

Hon. Mr. LOUGHEED—I promised, when this Bill was read a second time, to make the inquiry which my right hon. friend suggested as to whether the third commissioner was being appointed at the request of the present commission. I might say that it practically has grown out of the situation which has arisen, which makes it, in the interests of the public business, in fact absolutely necessary, that a third commissioner should be appointed. Differences have arisen from time to time between the two commissioners which render the intervention of the government absolutely necessary, hence this Bill.

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

SALARY INCREASE FOR MR. LE MOINE MOTION.

The Order of the Day being called:

Consideration of the memorandum from the Clerk of the Senate and the recommendation of His Honour the Speaker in re increase of salary to Mr. J. de St. Denis Le Moine, &c.—Hon. Mr. Power.

Hon Mr. POWER—This memorandum of the Clerk and the recommendation of His Honour the Speaker simply carry out the decision to which the House came last session, on the report of the Committee on Internal Economy, and consequently there is no object in referring it to that committee again. I, therefore, move that the recommendation of the Clerk and His Honour the Speaker, with respect to the case of the Sergeant-at-Arms be concurred in.

The motion was agreed to.

CIVIL SERVICE ACT AMENDMENT BILL—AUDITOR GENERAL'S DEPARTMENT.

The House resolved itself into Committee of the Whole on Bill (113) An Act to amend the Civil Service Act.

(In the Committee.)

Rt. Hon. Sir RICHARD CARTWRIGHT —This simply affects the Auditor General's office?

Hon. Mr. LOUGHEED—As I explained to the hon. gentleman, previous to the passage of the Civil Service Act it was possible for the Auditor General to appoint clerks for a period of six months, and then to renew that term. Under the Civil Service Act that authority is not given to him, and consequently at the end of six months he is called upon to discharge these clerks. Now, it is pointed out that upon the returns after a general election, it takes a longer period than six months to perform the duties necessary to conclude the work incident thereto.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes, that is true.

Hon. Mr. LOUGHEED—And those clerks have to be broken in and it is very desirable in the public interest that they should be retained until the work of that branch of the public service is fully concluded.

Hon. Mr. POWER—The only possible objection that I see to this Bill is that after a man has been employed as a temporary clerk for two years, it will probably be felt that it would be cruel to dispense with his services, and in that way we shall get back to the condition of things we had in 1908, when the Civil Service Act was passed, when there were hundreds of temporary clerks who were really not supposed to be in the Civil Service, but who had to be so considered. I trust the government will see that that condition of things does not occur.

Hon. Mr. LOUGHEED—The government does not ask for any authority to continue them or give them any status in the service after the work is concluded.

Hon. Mr. POWER—All right.

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

Hon. Mr. POWER.

BILL INTRODUCED.

Bill (188) An Act to create the Biological Board of Canada.—Hon. Mr. Lougheed.

FIRST AND SECOND READINGS.

Bill (X 2) An Act respecting the Imperial Loan and Investment Company of Canada.—Hon. Mr. Kerr.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, March 12, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

SCHOOLS OF KEEWATIN TERRITORY.

MOTION.

Hon. Mr. CAMPBELL moved:

That an humble address be presented to His Royal Highness the Governor General, praying that His Royal Highness will cause to be laid before the Senate copies of all correspondence between the government and persons or corporations since the first of November last in connection with the schools to be esablished or maintained in the Keewatin territory to be annexed to Manitoba.

He said: My object in moving for these returns is that we may have full information to enable us to intelligently discuss the Bill which will soon come before us.

The motion was agreed to.

CORRESPONDENCE WITH ANGLO-CANADIAN CHEMICAL COMPANY.

MOTION.

Hon. Mr. DOMVILLE moved:

That an order of the Senate do issue for copies of all correspondence between the Anglo-Canadian Chemical Company and the Department of Inland Revenue from the first of January, 1911, to date.

He said: My object is to obtain information, and more especiailly to call the attention of the government to what would be a very desirable amendment to 'An Act

respecting Agricultural Fertilizers.' I am not making a motion with a view to casting slurs on the department, the government or anybody else, but in the interests of the trade generally. It is merely a business matter. It is very late this session to introduce a Bill to amend the Act, but between now and next session the government might very easily look into the matter, and if they are of the same opinion as those interested in the trade, possibly they will comply with the request of this company. I have a letter from the Anglo-Canadian Chemical Company, of the 29th February, calling attention to a mistake in a bulletin on 'fertilizer' pages 8 and 9. This is from an English concern operating in St. John, N. B. The letter reads:

In reference to the mistake in Bulletin on Fertilizers, I am sending you a marked copy of the Bulletin, and you will note on pages 8 and 9 that our special odourless potato phosphate, is given as No. 51, with a guarantee of 12 per cent phosphoric acid, 5 per cent potash. This is entirely wrong, as our special odourless potato phosphate should be No. 142, with a guarantee of 7 per cent phosphoric acid, 7 per cent potash, 2 per cent nitrogen.

We called attention to the error, and the result of the correspondence is summed up in the letter from the deputy minister which we forward you herewith, to the effect that 'the necessary correction respecting this matter will be made in the next Bulletin published, which is all that it is possible to do in connection with the case.

The trade of the manufacturers of these fertilizers depends on the character of the fertilizer, which should be up to standard, and the department should publish such reports as would place them on a proper footing, so as not in any way to lower their position before the public generally. As I have just stated, they claim that there was an error in the bulletin. They say:

We think a bulletin containing such incorrect and damaging statements should be suppressed.

Why should it be suppressed? Because it goes all around the country and rival manufacturers can point to it as proof that the fertilizers manufactured by this company are not up to the standard, and it is almost ruinous to a company. The letter proceeds:

And publicity given to the correction for which we and our English house are in no way whatever to blame.

They say they are not to blame for the mistake made in the department. I am not blaming this government for the error, because it occurred before they came into power, but the mistake should be rectified. The letter continues:

We think that a bulletin containing such incorrect and damaging statements, should be suppressed, and publicity given the correction for which we and our English house are in no way whatever to blame. This misleading statement can be used by every fertilizer agent in Canada as a strong canvass against these goods, and backed up by a bulletin issued by the government, warranting the assertion that we are placing goods on the market not up to guarantee in one ingredient, and by implication also that this fertilizer does not contain any nitrogen whatever.

Now the department under date of 14th of February, 1912, wrote to the Anglo-Canadian Chemical Company, of St. John, N.B., as follows:

Dear Sir,—I am in receipt of your further letter of the 7th instant respecting an error made in Bulletin No. 227 'Fertilizers 1911.'

In reply I quote the following from the report thereon of the Chief Analyst:—

In the first place the fertilizer bearing registration No. 51, is guaranteed to contain 12 per cent of phosphoric acid and 5 per cent of potash. Fertilizer registered as No. 142 is guaranteed to contain nitrogen 2; phosphoric acid 7; potash 7. It must be remembered that under section 7 of the Fertilizers Act, the registration number constitutes an identification of the brand. On the 8th of May last, Mr. Inspector Ferguson sent in a sample (45486) stated to be registered as 51, which was analysed, finding total phosphoric acid 8·45 per cent, potash 7·12 per cent. These results are published in Bulletin 227, page 9. Naturally comparison was made with the claims of registered fertilizer No. 51, and a deficiency of 3·5 per cent phosphoric acid noted. This is the report published in Bulletin 227. Later correspondence shows that Mr. Inspector Ferguson was incorrect in reporting this sample 45486 as registered under No. 51. He should have given the registration number as number 142. In this case the results of our analysis show that, as far as phosphoric acid and potash are concerned, the sample fully meets requirements. I shall, of course, make necessary correction in our next published Bulletin.

You will note by the concluding sentence of Mr. McGill's report to the department that the necessary correction respecting this matter will be made in the next bulletin published which is all that is possible to do in connection with the case.

Yours very truly,
W. J. GERALD,
Deputy Minister.

Now, what these people complain of is that the Act is imperfect, or the bulletin

could not have got out in this way. They say that they have been damaged right and left by this report. By bringing this to the attention of the House, we may assist them in having the position they have been placed in rectified. Every hon. gentleman must know that such an important commodity as a fertilizer, to the agricultural population, who depend upon these manufactured fertilizers for a number of their crops, is of considerable value. This inspector admits that he was wrong, and therefore these people should be put right. All they ask is to have the question brought up in order that they may have something to point to. They ask that the Act should be so amended that such a thing will not occur in the future. I do not intend taking up the time of the House at any great length. I only want to bring the matter up so that these people will receive proper consideration. They suggest that the Act should be amended that something to the following effect might prevent such trouble to the responsible dealers, who may wish in every way possible to carry out the provisions of the Act—that is to insert as subsection 3 to section 12, the following:

3. Provided always that within.....days after taking of any such sample, and before the result of any such analysis shall be published as above, each manufacturer or their accredited agents, shall have been furnished with a copy of the result of analysis of any fertilizer registered by them under this Act.

They complain that the Act is so worded than an error may creep in, and they claim that before a report is sent out their attention should be called to it, and if there is any error the matter could be rectified before the report goes to the public. They also suggest the addition of another section, number 19, for the purpose of preventing, if possible, the misrepresentation which is so general in the sale of fertilizers:

19. Every person who by misrepresentation sells or attempts to sell any fertilizer under the registration number, name, brand, or trade mark of any other fertilizer, shall be liable on summary conviction, to a penalty not exceeding.....dollars, and in default of payment to imprisonment to a term not exceeding.....months; and further no action at law shall lie to recover the price of any fertilizer sold under such misrepresentation, and proof of such misrepresentation shall be a good defence to any action at law to recover for such sale.

Hon. Mr. DOMVILLE.

These companies put the analysis of the fertilizer on the bags. A sample of that fertilizer is sent to the government, and the manufacturer of the fertilizer is held strictly accountable for any misrepresentation. We all know that fertilizers were sold years ago for $30 and $40 a ton, and some of them were only worth $4 or $5 to the farmer. The government of the day brought in an Act compelling the manufacturers of fertilizers to do certain things in order to substantiate the value of the fertilizer they were selling to the farmer, and in order that the farmer might be protected. What these people in England now ask is that the Act should be amended in the direction that they have pointed out, and to which I have called your attention. They say that they submit the matter to your consideration, and suggest that the proposed clause might be submitted to the law courts before they are made law.

I hope this may be the means of clearing them, by showing that there was a mistake and that their manufactures will not be misrepresented, on the strength of an erroneous report. They will now be able to point to the fact that they brought this matter to the attention of parliament and asked for legislation. I move for the papers as in this motion.

The motion was agreed to.

FIRST AND SECOND READINGS.

Bill (30) An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.—Hon. Mr. Casgrain.

Bill (39) An Act respecting the Canadian Northern Tunnel and Terminal Company, Montreal, Limited.—Hon. Mr. Casgrain.

BILLS INTRODUCED.

Bill (Y 2) An Act to consolidate and amend the Acts relating to the Dominion Guarantee Company, Limited, and to change its name to the 'Dominion Gresham Guarantee and Casualty Company.'—Hon. Mr. Casgrain.

Bill (116) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

Bill (124) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

Hon. Mr. POWER—I think this is the fifth Bill which has been introduced this session in this House with the same title —' An Act to amend the Civil Service Act.' That is a practice which may lead to confusion, and there should be something in the title of the Bill to indicate its special subject, so that when we refer to an Act to amend the Civil Service Act we have some idea of what we are looking for.

Hon. Mr. LOUGHEED—I might suggest to my hon. friend that when these Bills come into committee, if he thinks it would facilitate ready reference to the statute, we might insert something indicative of the particular Act which it is proposed to amend.

THIRD READINGS.

Bill (104) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

Bill (52) An Act to incorporate the Pacific Trans-Canada and Hudson Bay Railway Company.—Hon. Mr. Bostock.

Bill (113) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

TARIFF COMMISSION BILL.

DEBATE RESUMED.

The order of the day being called:

Resuming the adjourned debate on the motion for the second reading (Bill 88), 'An Act to provide for the appointment of a Tariff Commission.

Hon. Mr. CLORAN—In resuming the debate on this very important question of the tariff commission, I deem it proper and justifiable, under the circumstances, to pay a tribute to the hon. gentleman from Saskatchewan (Hon. Mr. Davis), on the very noble pronouncement he made in this House last Friday in regard to this matter. Listening to his speech I felt proud of him, and proud that he came from good stock and good ancestors, who had, in by-gone days, put up fights similar to the one he advanced recently on behalf of the people of the Northwest. His grandfather was one of the Nationalists of Ireland who stood with Dan O'Connell, O'Brien, and all those gentlemen who advocated fair-play, truth and justice. We have had examples of what these men were able to do in the past. The speech of the hon. gentleman from Saskatchewan had the right ring about it. There was no soup kitchen play in it. His speech was plain and eloquent—plain, because he had nothing to hide, and no personal object to serve, and eloquent, because it was a most forcible plea on behalf of truth, and justice for the people of the Northwest—that their condition should be known and justice obtained for them. This House and parliament, and the country at large had better take heed of the warning given the other day, that if the people of the Northwest, and especially the people of Saskatchewan and Alberta, do not obtain favourable conditions, now that they have settled in these large territories, the people of the east might well halt and consider what consequence might result from the western country being bound down too close to the ground. That warning is not new. Some 22 years ago, when on a special mission to Manitoba, it was my privilege to interview the Prime Minister of the day on certain questions. At that time Saskatchewan and Alberta were not very much in evidence, but Manitoba was. The Premier declared to me that if the east did not look out and allow Manitoba to have free and favourable access to the south, the day might come when there would be secession. That is the declaration of the hon. senator from Saskatchewan 22 years later, that if the people of the Northwest are not fairly dealt with by parliament, through their laws, that the day of secession may arise sooner than we expect. These are warnings that must be heeded. They are given with a heart full of regret that they are obliged to say these things to obtain justice at the hands of parliament. What was the complaint of the hon. member from Saskatchewan? It was that the people had toiled night and day and torn from the bosom and bowels of the earth its richest wealth; that they had no means whereby to ship this wealth; that they had not sufficient and adequate markets. These were his two complaints. Is it not a fact that the facilities for transportation for that wealth are not adequate? Is it not true that the Conservative party

have done all in their power to block the foreign markets to the Canadian producer? The member for Saskatchewan (Hon. Mr. Davis) warned this House and parliament that the object of this tariff commission is purely and simply to increase the difficulties of the Northwest, by increasing the taxation on what they need on their farms, and by blocking their access to foreign markets. Hon. sirs, I put you on your guard here to-day. The vast majority in this House are of the Liberal party. Many of us are disappearing from the scene. I give you fair warning that this tariff commission is nothing more or less than a means to strangle the Liberal party for the next 25 years, the same as the Liberal party were strangled in the red chamber during 18 years. If you allow this to go through in its present form and give to the tariff commission power to form a scientific tariff, if you please, then you put in their hands a halter by which they will strangle you. I certainly would not, as a Liberal bound to take care of the national interests of the country, allow this thing to be done. That tariff commission is simply a blind to take the responsibility from the shoulders of the government. If it is not a blind, they would accept my proposition, which is a very simple one. If they want a commission to secure information, let them have it. I believe such information is very often necessary, and a commission would be a useful means whereby to obtain it, but the majority of this parliament should not allow them to establish a commission of three protectionists—I wont call them Tories, because we have Liberal protectionists in our ranks, unfortunately one or two, or a half dozen. The government of the day will not take three staunch Tories, they will manage to get one or two interested Liberals, to go on that commission. If the government of the day want a fair commission, in which the country will have faith, let them appoint an avowed protectionist, and let them appoint an avowed anti-protectionist who would act with the Minister of Trade and Commerce, or the Minister of Finance, who could be the third commissioner. Supposing the commission was composed of an avowed protectionist, like Sir Mackenzie Bowell, and an avowed anti-protectionist, like Sir Richard Cartwright, they would get all the information that the government would require and submit it to the minister, and then the responsibility would devolve upon him to make his selection and choice and give the programme to the people. But to allow the government of the day to establish a commission, as they propose to do under this Bill, is simply for the Liberals to walk into a nest of—I won't call them traitors, we have heard of some before—but into a nest of manipulators of the public wealth. If the words steal and rob are too strong let us use the word manipulate. We have been given to understand in this honourable House that the manufacturer is a producer of wealth. I say he is not a producer of wealth, not by any means. The manufacturer, to my mind, is a man who takes from the country and gives little back. My proof is this: The national treasury is not filled by the contributions of the manufacturer. It is the consumer alone who pays into the national treasury and who furnishes the fifty, sixty or seventy million of dollars of custom duties. The importer is the collecting agent of the consumer. The manufacturer is the robbing agent of the consumer, and how? Here is Smith who is a manufacturer in Toronto; he produces and manufactures an article which costs him $10. Take for instance a plough. It is worth $10. Across the line, in Buffalo or Detroit, this same man Smith has a friend who manufactures identically the same article costing the same price. What happens? The man in the United States sells his plough for $10. What does the manufacturer in Canada do? He sells it for about $12.50 or $13, according to the duty, whether it be 25 or 30 per cent. He raises the price against the Canadian consumer and takes from him $2.50 or $3, which he puts into his own pocket. He robs the consumer. Now, if that consumer should order his plough from his friend in the United States he would have to pay ten dollars and a duty of three dollars, making $13, but the three dollars extra would go into the national treasury, and the importer who brings in the machine is collecting the duty

from the consumer. To my mind that is plain as A, B, C. This high grade protection, even with the new name they are giving it to-day, is a fraud on the people. In the old days, in the red chamber days, when the manufacturer contributed his thousands, and when the policy of the Liberal party was strangled in that red chamber by the force of money obtained through fraudulent, robbing legislation, they found one fine day that the people were awakening, and the people got the promise from the then Prime Minister of the day that the mouldering branches would be cut off. His Minister of Finance at that time, however, did not allow him to cut off many of the mouldering branches. They clung; and they still cling to the protection tree. Then they found another term with which to blind the people, and that was adequate protection. It is so easy to go among a lot of people who come from the old countries of Europe and Asia, and even from the states of America, who do not know excatly what 'adequate' means, or what 'mouldering' means—not for want of intelligence, but because in early life they had not received sufficient school education to understand the whole dictionary. Well, they played their game with those words for a number of years, and now they want to start the game over again with another fine word, 'scientific.' With that word they will go into the back concessions, and over the country, and through the platforms of this land, and sing out to the people, 'Oh, we are going to give you scientific protection.' They expect to blind the people with that word. Well, they may succeed for a few years, but I am afraid that scientific protection will need an aeroplane to scale its dizzy heights if the Commission ever get it working. Scientific protection is not meant to bring down the tariff, or to chop off mouldering branches, or to reduce the protection given to the manufacturer as against the consumer and the farmer—and I use the word 'consumer' as a general term to include everybody, lawyers, doctors, and dentists, farmers, grocers and all those people who consume and produce, though some of them have produced very little.

Under these circumstances, I think this House would be perfectly within its rights and would be exercising its jurisdiction in a way that would appeal to the country, and please a large number of electors, if they took means to extract the hidden fangs that lie concealed in this Bill. If the government are sincere and desire information, let them appoint good men in whom the country has confidence, and the the leader of the government will not be able to say to the people, 'Oh, the tariff is high because our scientific investigators found it necessary to increase it.' I would not give them the opportunity to advance such an argument. They abused their privileges between 1878 and 1896, when they drove millions of people out of the country, blocked the development of the Northwest, and gave every possible monopoly to the Canadian Pacific railway. They bled the monopolies for election funds, and then permitted those monopolies to bleed the country afterwards. I should like to know the name of the manufacturer who sent a case of fur-lined kid gloves into the committee room two weeks ago in the town of Renfrew. The day before the election was bitterly cold, and election day was also very cold, and instead of having the ordinary booze doled out the Tory voters came out of the committee room all muffled up, not with the muffler of my hon. friend from Brockville, but muffled up with brand new fur-lined kid gloves. The muffler of my hon. friend from Brockville was more honest, anyhow. The manufacturer is showing his teeth already, and this Bill is nothing but an egg laid by the Manufacturers' Association of Toronto, a few weeks ago. It is quite fresh and they think they will hatch it out. They put a young spring chicken over it in another place and hatched it out there, and now they want the old hen to hatch out a chicken that will devour them if it gets a chance. Are we going to play into the hands of these men, or stand by the masses of the country? I hold that Canada has progressed during the last ten or fifteen years in a most remarkable degree, all due to the fact that the legislation was, as far as possible, designed to favour the masses as against the

classes. I am inclined to agree that my party did not go far enough in reducing the protective tariff, but it was better to get a few crumbs than nothing at all. They gave to England a proof of their loyalty—not lip-loyalty such as the Tory leaders have given to the country—when they said to the English consumer, and to the British manufacturer, 'If you want our wheat free, we don't want to have it taxed for our benefit.' That is the doctrine of the Liberal party, and then the Canadian Liberal goes into the shop of an English manufacturer and says, 'come over, we will reduce our tariff on your behalf because you are members of the empire, and we want to show you what we intend to do, and what we are able to do. We will give you twelve and a half per cent off immediately, then we will give you twenty-five and a half per cent off, and still further increase the preference to thirty-three and a third per cent.' That is substantial loyalty—no waving of the British flag, no waving of the Papal flag over the Ne Temere decree. We do not indulge in petty tactics of that description. Reference has been made to the fact that thirty or forty years ago we had soup kitchens. In this honourable House stands the leading exponent of Toryism, the most protective mind in the Dominion of Canada, the minister who pounded the blood out of the brains of the importers during the fourteen years he was Minister of Customs. I do not blame him for having done it, yet all he has to throw at the Liberals is that 25 or 40 years ago we had soup kitchens. I do not consider that a very valuable or gallant argument. It was buried long ago. God knows if there were soup kitchens in 1877 or 1878 there have been many happy and rich homes between 1896 and the present day. In those days of soup kitchens there was not one farm free of encumbrance—not one farmer who could go into the bank and say that he had three or four thousand deposited therein.

The House adjourned during pleasure.

BILLS ASSENTED TO.

4. An Act to amend the Quebec Harbour Commissioners' Act, 1899.

5. An Act to correct certain clerical errors in the French Version of the Revised Statutes, 1906.

Hon. Mr. CLORAN.

6. An Act respecting the British Colonial Fire Insurance Company.

7. An Act to amend the Juvenile Deliquents Act, 1980.

9. An Act to amend the Senate and House of Commons Act.

10. An Act respecting the Erie, London and Tillsonburg Railway Company.

11. An Act respecting the Cap de la Madeleine Railway Company.

12. An Act respecting La Compagnie du Chemin de fer de Colonisation du Nord.

13. An Act respecting the Dominion Atlantic Railway Company.

14. An Act respecting the Ottawa, Northern and Western Railway Company.

15. An Act respecting the West Ontario Pacific Railway Company.

16. An Act respecting the Alberta Electric Railway Company, and to change its name to 'The Alberta Interurban Railway Company.'

17. An Act respecting the Algoma Eastern Railway Company.

18. An Act respecting the Calgary and Ferine Railway Company.

19. An Act respecting the Pacific and Atlantic Railway Company.

20. An Act to incorporate the Liverpool-Manitoba Assurance Company.

21. An Act to incorporate the Vancouver Life Insurance Company of Vancouver, B.C.

23. An Act to incorporate the Saskatchewan Life Insurance Company.

24. An Act respecting the Canadian Birkbeck Investment and Savings Company, and to change its name to the Canadian Mortgage Investment Company.

25. An Act respecting the Union Bank of Canada.

26. An Act respecting the Public Archives.

27. An Act respecting patents of Edmund F. Piper.

28. An Act respecting a patent of the Spirella Company of Canada, Limited.

29. An Act respecting the Canadian Northern Ontario Railway Company.

30. An Act respecting the Canadian Northern Quebec Railway Company.

31. An Act respecting the Hamilton, Waterloo and Guelph Railway Company.

32. An Act respecting the Kootenay and Alberta Railway Company.

33. An Act respecting the National Transcontinental Railway.

34. An Act for the relief of Edna Wells.

35. An Act respecting the Dominion Guarantee Company Limited, and to change its name to 'The Dominion Gresham Guarantee and Casualty Company.'

36. An Act to incorporate the Premier Life Insurance Company.

37. An Act to incorporate the Sterling Life Assurance Company of Canada.

38. An Act to incorporate the Bank of Saskatchewan.

39. An Act to amend the Post Office Act.

40. An Act respecting Patents of Thomas Wedge.

41. An Act respecting certain patents of Thos. D. Rambaut.

42. An Act respecting The Trust and Loan Company of Canada.

43. An Act to amend the National Transcontinental Railway Act.

44. An Act to amend the government Works Tolls Act.

45. An Act to provide for further advances to the Harbour Commissioners of Montreal.
46. An Act to authorize the payment of a subsidy to the Collingwood Shipbuilding Company, Limited.
47. An Act respecting the Security Life Insurance Company of Canada.
48. An Act respecting the South Ontario Pacific Railway Company.
49. An Act to incorporate the Northern Territorial Railway Company.
50. An Act respecting the Interprovincial and James Bay Railway Company.
51. An Act respecting the Barcelona Traction, Light and Power Company, Limited.
52. An Act respecting the Alberta Railway and Irrigation Company.
53. An Act to incorporate the High River, Saskatchewan and Hudson Bay Railway Company.
54. An Act respecting the Vancouver Island and Eastern Railway Company.
55. An Act for the relief of Hebert Horsfall.
56. An Act for the relief of Kenneth Molson.
57. An Act for the relief of James Denny.
58. An Act to change the name of Ezra Butler Eddy Bessey.
59. An Act to amend the Inquiries Act.

The House was resumed.

Hon. Mr. CLORAN resumed his speech. He said: There is one thing I admire about the leader of this House, and that is his iron hand under a glove of velvet. He can back down the Liberal majority in this Senate in a wonderful fashion. He has an iron hand and I admire him. If there were many more like me in this House, it would take a good deal of velvet to brush the hairs up and down so that we could stand the iron hand hidden underneath. You can call it partisanship or politics. I, for one, am not prepared to put in the hands of the government a lash with which to lash me and the people I represent, and the interests I speak for. I want the government to understand that the national Liberal interests of this country are just as great, and more so than the national interests of the Conservative party. The national interests of this country that we represent belong to the poor and to the consuming class. The national interests that the Conservative party try to protect, and that they put before parliament under a blind, are the robbing class. I point out that it is an act of robbery for a man to sell an article, worth only $10, for $13 and to pocket the difference. The result of the system is that after the manufacturer pockets three or four hundred thousand dollars annually for a few years he is able to start banks and insurance companies. He is able to build palaces and live at the rate of two hundred thousand or three hundred thousand a year. I remember the day in Canada when the millionaires could be counted on the fingers of your hands. Canada was never more happy than in those days. I am speaking of the period from 1860 to 1868. A man that was worth one or two hundred thousand dollars was looked upon, in Montreal, as a nabob. Manufacturers are now not content unless they can pile up two millions, five millions, ten millions or even twenty millions of dollars. All this wealth that they accumulate must come from somewhere, and it comes out of the workers. It comes from the labouring classes; whether they be on the farm, or in the workshops, the doctor's office, or the lawyer's office, they all have to pay their share and contribute to the national treasury. I say that the manufacturer contributes nothing. He takes all and gives nothing back, except to the Tory election fund, for the purpose of creating a new scientific tariff. I wonder if he is going to furnish aeroplanes to scale the heights when the tariff will go up? My honoured friend, the leader, said the tariff commission was designed to upbuild the tariff, but he afterwards withdrew the word 'upbuild' and said it was to construct the tariff. I would like to know whether the tariff is going to be constructed up or down. Construction generally means upwards. The choice of either word does not veil the intention of the government. I am prepared to state here that practically the sole intention of that commission is to act as an instrument of torture for the Liberal party, in the first place, and gather bags with which to collect the money from the poor taxpayer. That is the object of the Bill. For instance, would that commission report to the House that there are manufacturers in this country who sell their goods at a higher rate in Canada than they sell them in Australia, Japan or the United States? Would the government authorize the commission to recommend that the protection given to people who sell at a higher price to outsiders than to the home consumers, should be wiped out by the tariff?

That would be a proper recommendation to make; that is what these manufacturers are doing. They are sending their products out of this country to foreign markets and selling them for lower prices abroad than they are exacting from the home consumer. Is that the way to protect our home market? I am with the hon. member from Saskatchewan (Hon. Mr. Davis) and I hope all his colleagues in this House will stand shoulder to shoulder with him in regard to this question, and demand that, instead of a scientific tariff, we shall have a still further lowering of the duties.

Hon. MEMBERS—Hear, hear.

Hon. Mr. CLORAN—As some of the speakers have said, the manufacturers are no longer infants. They are ghouls, and I regret that our party could not see its way clear to reduce the tariff more than they did. But it was better to accept a small reduction at their hands, than to return the Tories to power and have the duties still further increased. They have now obtained power through the meanest and lowest kind of false pretenses. They captured the province of Ontario, thirty good Grit seats, on the meanest kind of appeals to race and religious prejudices, and they know it. They captured ten or fifteen seats in the province of Quebec—they have not got them solid yet—on directly opposite lines from those launched and given forth by the Tory statesmen in Ontario. Now, why under heaven should the Liberal majority in this House, under these conditions, give to the Tory party the means whereby to strangle us for the next twenty-five years? That is the question. Not only in this Bill, but during the entire session the time has been passed in concocting measures to block future Liberal progress. Their Highway Bill is nothing else than a nest of the worst elements in the Ontario Conservative party, hatched out, at least mentally hatched out, to deceive the people. By what right does that party pass its time in concocting schemes of that kind instead of introducing useful legislation? All their amendments to the civil service and other Acts are more or less in line with their determination to pull up, root and branch, any vestige of Liberalism they find in their path. No later than yesterday I was informed that every single employee on the Welland canal was fired, dismissed without any notice. I wonder if that statement is true? I believe it is. I do not blame the Tories; it is what we should have done when we came into power in 1896. That is where our party made a mistake, in allowing all those Tory wolves to remain in the fold, who afterwards devoured the children that we brought forth. There is the condition of things under this Tariff Commission. When the time comes I may have some amendments to propose to this Bill, and I trust I shall find a certain backing. I do not wish to destroy the Bill, or to have it blocked, but I want to take the fangs out of it; I want to put honesty into it; I want to put fair play into it; I want to put justice into it; I do not want the control of that important branch of public life in this country, the tariff, whether it be protective or anti-protective, put in the hands of manipulators—for that is what they are. This Tariff Commission is nothing but the result of the manufacturers' agitations during the last election in Ontario. They are now getting their reward in this measure, and it is up to us to say whether that reward shall be the punishment of the Liberal party and a punishment that may last for years.

Hon. Mr. McMULLEN—I did not intend to speak on this question, but lest I should be considered as one who sympathizes fully with the speech which has just been delivered by the hon. gentleman from Victoria division (Hon. Mr. Cloran), I desire to repudiate some of his statements. He commenced by talking about the Northwest Territories, and one would fancy, from his remarks, that they were the worst used lot of people in the empire. I would like any person in this House to point out any portion of the British Empire which has been better or more liberally treated than the Northwest Territories have been by the Dominion. We have built railways and mortgaged the resources of the older provinces to help the development of our western country. We have erected public buildings, we have built railway and telegraph lines, and made other improvements. We surveyed the country, and did not even

charge the settler with the cost of the survey. We gave him a homestead of 160 acres without charge, and yet, after doing all that, we are now charged with treating them unfairly and unjustly. That is something which the older provinces do not deserve. It is true that this year the settlers have been unfortunate with their crops. They had a frost which largely injured a considerable portion of their wheat. It appears to be the habit of incomers in the Northwest to try and break up large sections of the prairie, sow it in wheat, get reapers, take it off and stook and thresh it, and then they begin to yell loudly for cars to take it away. The railways endeavour to supply all the accommodation they possibly can. I do not think there is a railroad on the continent of America which has done more for the district to which it runs, in the way of supplying rolling stock for the convenience of the people, than the Canadian Pacific railway. They have furnished an immense quantity of cars for the purpose of removing the crops of that country, and they are increasing their accommodation from year to year. They cannot, in five or six weeks, supply all the cars necessary to carry away the immense crop of wheat produced in the west. The difficulty this year has been that it was neither wise nor prudent to send that wheat to elevators. I know what frozen wheat is. We had experience of it in Ontario 50 or 60 years ago. I can remember in the province of Ontario when we had to bring in corn meal from the United States to feed our people. They did not grow and save from the frost enough to keep them alive. These conditions have been overcome. The people of the Northwest are having their experience in the same line. They will have to provide storage accommodation, as they should do, for the crop when it is harvested. They should erect granaries on their homesteads where they can store their grain. They they should do their ploughing before the winter sets in, and when the winter comes they could team away their wheat and sell it, when they can do nothing else. That was the course adopted by the farmers of Ontario in the early settlement of the country. By and by they began to realize that they had to build larger barns and granaries in order to provide the necessary storage to save their crops. The Northwest will have to adopt a similar course. They cannot expect that every year the railways will be able to supply within a few weeks the enormous quantity of rolling stock necessary to transport the wheat of that whole district. They might have obtained a better price for their frozen wheat by sending it to the United States, or grinding it up and feeding it to the cattle, but you cannot put that wheat into storehouses. If you do it will form a solid cake, and you would have to chop it out. It is better outside. They might have obtained a better price for it this year, if they could have shipped it to the States. The hon. gentleman from Prince Albert (Hon. Mr. Davis) spoke about the price of barley, and pointed out that it was thirty cents a bushel more in the United States than in Canada, but the United States is a protected country as far as barley is concerned. Is the price at which barley is quoted in the United States the world-wide value of barley? It is not. My hon. friend would like very much—and I do not blame him—to sell his Canadian barley in a protective country, where he could obtain thirty cents a bushel more for it, and then, when he got the money, he would like to buy in a free trade market what he requires for his every-day use. He is wise in his day and generation, but that condition of things cannot be realized. If Canada is ever to become a great country we must aim at developing along at least five lines —agriculture, manufacturing, lumber, mining and fishing. The several lines of industry must assist each other like partners, and one must contribute to the welfare of the other. We have to the south a country which has grown to enormous proportions in wealth and population, under a protective tariff. They have an average tariff against us of something over forty per cent on everything we send to them, while our tariff is about half that amount. While we are met by them with a high tariff it would be the grossest folly on our part to open our ports and let them send their products here and slaughter the in-

stitutions which we are endeavouring to build up. I do not wish to see our manufacturing institutions pampered and fed at the cost of the consumers, but we must give them an opportunity to live. If we opened our markets to-morrow the United States would wipe out of existence three-quarters of the manufacturing institutions of this country in three years.

Hon. Mr. WATSON—What class of manufacturer would they wipe out?

Hon. Mr. McMULLEN—Many classes. You cannot name a class that they would not wipe out—the manufacturer of agricultural implements, buggies, boots and shoes, would all be wiped out of existence. You cannot afford to allow that to be done, because, after ruining our industries, they might turn around and form a combination and charge us more than we are charged even by those we think are robbing us by the excessive price they are charging us under protection. We had a little incident illustrating that. Some years ago it was thought that it would be well in the interest of the farmers to put binder twine on the free list, which was done. The result was that every factory in Canada was closed down. They could not compete with the United States people in the manufacture of binder twine. Even the binder twine factory in the Kingston penitentiary was closed down, and what was the result? Two and a half years later binder twine was higher in Canada than it had ever been before.

When the manufacturers made a move to reopen their factories what was done? By some means—I do not know whether we ever got to the bottom of it—the Philippine islands were persuaded to pass a law imposing an export bounty of 2 cents a pound on manila going to any other country than the United States. That, of course, would increase the price of binder twine wherever that manila went except in the United States. Now we have had experience in those things, and we cannot afford to go on, or even expect to go on and prosper unless we have manufacturing institutions. I have not the slightest doubt that this commission, if prudently and carefully worked, may be of benefit to this country. I admit there are combinations that have been formed in Canada under the tariff, and I should like to see those combinations broken up. To-day I believe we have a combination whereby all the oatmeal of this country is sold by one or two agents. All the mills have entered into a combination and issued stock to each mill owner, and have also issued watered stock. That is a practice that this commission should aim at putting a stop to—that of allowing watered stock to be issued when combinations are formed. It enables the combines to exact from the consumers prices that will enable them to pay dividends upon that watered stock. The commission should aim at reporting to the Finance Minister every instance they find of a combination of that sort, and in every case where combinations are formed in restraint of trade, and for the purpose of increasing the price of an article, that article that they produce should be put at once upon the free list. In that way such combinations could be stopped. I am not an out and out protectionist in the same sense that I want to make millionaires of manufacturers at the cost of the consumers of this country, but I do want to see our manufacturers get a fair opportunity of living and successfully competing with the manufacturers in the United States. We can not, as a country, live and allow them to wipe out of existence those institutions that we have amongst us. We want our manufacturers to produce goods and place them in the hands of the consumer at the lowest possible price. I hope that the commission will look carefully into these matters and that such changes will be made from time to time as will enable our manufacturers to supply the wants of the people reasonably and well, and not merely to make themselves millionaires.

Hon. Mr. CAMPBELL—I am sure that members of the House will be pleased and amused with the wide range that this discussion has taken. It is a discussion on a proposition of the government to appoint a tariff commission, but we have had a very great divergence from that, and all subjects have been brought in, in reference to protection and free trade; the hon. member for Hastings even went back

to the supposed soup kitchens in 1878, and traced the present prosperity of the country to the fact, as he said, that in 1879 the National Policy was introduced.

Any one who has read the history of this country knows that, after the introduction of the National Policy in 1879 there was a period of considerable expansion in this country, but as the years went around and the Conservative government of that day kept tinkering and tinkering with the tariff, constantly raising it higher and higher, we had a period of the greatest possible depression in this country in 1896. At that time, in the city of Toronto there were no less than six thousand empty houses. Men were running around seeking work and could not get it. Manufacturers in this country were standing idle. Many of them were not making money at all. This was under the so-called National Policy. The hon. gentleman stated that it always takes a few years after a policy like that is introduced before it begins to work. They had eighteen long years of the influence of the National Policy, and it was getting worse and worse all the time. In 1897, when the Liberals came into power, they introduced a new regime. They revised the tariff, largely downwards. They took the duty off woollen goods, they took the duty from that prime necessity of life in this cold country. The duties had stood at 60 to 70 per cent; they reduced them down to 30 or 35 per cent. The hon. gentleman took up the average of the tariff. It is true that when you take the percentage of the tariff the reduction does not appear to be so great. That is because the Liberal government, very wisely, in the interest of the people, largely increased the duties on what are called luxuries. They put an increased duty on whisky. They raised the excise duty from $1.70 to $1.90 a gallon. They put a very heavy duty on cigars and cigarettes. They put a duty of 15 cents a pound on tobacco. All these things were in the interest of the country. The duty on tobacco was put on to encourage the production of tobacco in the eastern and western portion of Ontario and it has proved very beneficial to the country. The point I make is this: that it is not fair to say, because the percentage is 20 per cent now and it was 21 per cent up to 1806, that one per cent is the extent of the reduction we made in the tariff. We reduced the tariff largely on things that were necessary for the comfort and convenience of the people, and increased the duty on the luxuries. It is not a fair thing to say the average is not much lower. The reduction in the duty amounted to nearly 2 per cent, which represents a reduction of 15 per cent on the whole tariff. That was the policy of the Liberal party. My hon. friend who has just taken his seat was kind enough to read a lecture to the hon. member from Montreal (Mr. Cloran) for some of his allusions to the people of the Northwest. I consider that those allusions were quite justified. It is an undoubted fact that the farmers of the Northwest, this year, are losing millions and millions of dollars on their crops which they cannot market, and which will rot upon the ground. The lecture that the hon. member from Mount Forest (Hon. Mr. McMullen) read him might very well be read to himself. He claimed that the people of eastern Canada had been burdened by the development of the Northwest. Every dollar that we invested in the Northwest has been repaid two dollars in return.

Some hon. MEMBERS—Hear, hear.

Hon. Mr. CAMPBELL—What keeps the manufacturers going from one end of this Dominion to the other? What keeps up the city of Toronto and the vast manufacturing establishments that are there? If it were not for the market that we have in the Northwest they would not be able to exist. The fact that we have surveyed the land free and given each settler 160 acres for nothing was a good thing. Did we do it for their benefit, or for the benefit of the whole people of Canada? I would be glad to be able to say to-morrow that there was one settler on every 160 acres of land in the great Northwest. It would be a great thing for Canada and for our manufacturers in the east; this Dominion would flourish as it never flourished before, and the farmers would be benefited thereby. The hon. gentleman also gave the farmers of the

Northwest a little advice as to what they should do. He said they should build granaries and store their grain, and that it was impossible to expect any railway in five or six weeks to be able to move the crops of the Northwest. The fact is that five or six months have passed by and there are millions and millions of bushels of grain lying on the ground rotting. I am told that there are plenty of farmers up there now who have had judgments recorded against them because their crop is lying on the ground rotting and they cannot sell it. When the hon. gentleman says they should build granaries and that they should not expect to move their grain in six weeks, he is giving them advice that is very easy to offer, but, the farmers of the Northwest know their business as well as the hon. member for Mount Forest (Hon. Mr. McMullen). Then he announced that he was a protectionist and was in favour of protection.

Hon. Mr. CLORAN—He was not always that way.

Hon. Mr. CAMPBELL—He said our manufacturers could not live, that they would be wiped out of existence, and he instanced the case of binder twine. I remember when binder twine was put on the free list, and the farmers' binder twine factory at Brantford paid the next year a dividend of 100 per cent, and the next year 60 per cent. It was only when the Spanish American war took place and manilla went up so high that they had to raise the price. The higher price was not because binder twine was put on the free list. If binder twine were subject to a duty of one or two cents upon it to-day, the price would be just that much higher to the farmers of this country. When you consider the millions and millions of pounds of binder twine that the farmers have to buy, we should make it as free as we possibly can. Now I do not believe our factories would be affected so very much. Many probably would be inconvenienced a little. Many of them probably would not pay such big dividends. The owners would not be able to live in such style if they had the free competition of the United States. While there are immense factories that have enormous capital, and that have been established for years and years in the United States, yet you will find in that country little factories growing up year by year and becoming stronger and stronger, and they are competing with these great manufacturing establishments that we fear so much. So it would be in Canada. We have the same raw materials here, our labour is as cheap, and our people are as intelligent and enterprising as they are in the United States. I, as a manufacturer, have no fear in my particular line. I can compete with any Yankee that ever set foot on top of the ground.

Some hon. MEMBERS—Hear, hear.

Hon. Mr. CAMPBELL—My hon. friend referred to combines. He referred to the oatmeal millers. I am not interested in oatmeal, but I happen to know something of the oatmeal industry. While there was a merger, and several oatmeal factories joined together, yet there are a great many large independent oatmeal mills in this country, notably the Quaker Oats Company at Peterborough, that are not in the combine. There are other large companies competing with those that are in the combine. They all complain that, owing to the high price of oats and the low price of oatmeal, they are not able to make anything like a fair and reasonable profit. I believe every hon. member of this House recognizes the fact that in this country, with such enormous opportunities, and so many ways of developing industries, we require for a great many years a large revenue. It is admitted that we will, for many years to come, require a tariff—a reasonable tariff. I am in favour of a reasonable tariff, a revenue producing tariff. If you raise the tariff as high as they have it in the United States, then you have combines and the fact can be seen to-day. In the United States they have made millionaires by the thousand, but the condition of the workingman is worse than it was twenty years ago. The great success of the Democratic party is due to the fact that they are exposing the truth that the high cost of living and the enormous profit that these manufacturers are getting, are due to the combines and the high tariff.

The whole tendency of legislation in the United States is to lower the tariff. For the last few years we in Canada have had a very fair tariff. It may be too high in some things and low in others. It is impossible to have a perfect tariff. The tariff we have had in Canada for the last fifteen years has been a fair and reasonable one. It is enormously increased the prosperity of the country and that is one of the best evidences of its reasonableness. It is a tariff that has increased our foreign trade enormously, has built up our manufacturing establishments all over the country, and has brought prosperity to the farmer. In the province of Ontario the farmers are in a fairly prosperous condition but they are not making anything like the profit that they ought to make. They are not making any such profits as the manufacturers are making, but they are certainly making fair profits and better profits than they did under the National Policy that existed from 1878 up to 1896.

Now, that being the case, one great thing about the late government is this, that they did not tinker and tinker, and tinker with the tariff. There was a certain amount of stability about their tariff, and that, I think, above all, is what the people of this country want. I remember that from 1878 to 1896 every single year the Finance Minister brought down changes in the tariff, and owing to this uncertainty manufacturers did not know what they might expect, and it unsettled business, and caused a certain amount of discontent, because they were afraid to expand and grow as they should. The Liberal government revised the tariff in 1897, and did not touch it again for ten years: hence the manufacturers knew during those ten years that there was a certainty that the tariff was fixed, and although it did bear heavily on some, and probably too lightly on others, it was better to bear the ills we knew of than to fly to others we did not know. That tariff was in existence for ten years, and was one of the greatest features of the Liberal government. It contributed to a greater extent than anything I know of to produce the great prosperity that existed in this country. Now we find these conditions—a country enjoying tremendous prosperity, and making more progress in the last fifteen years than any country in the wide world, with everybody settled and satisfied, the manufacturers sending their goods to all foreign countries and increasing and expanding their businesses, the people and the farmers fairly well satisfied —and this government now propose to make what? A radical departure from that policy. They are creating a new department. Under the pretense of seeking information as to what is required, they are appointing a vast department composed of three men with salaries equal to those of cabinet ministers, with secretaries, and adepts, with all the clerks and paraphernalia of a department, which I am satisfied will cost the people of this country at least $75,000 a year. These men are appointed for life—for five years, and are eligible for reappointment—what for? To tinker with the tariff again; to tinker next year with the tariff, to revise it the second year, to revise it again the third year; unsettling business, creating dissatisfaction in the minds of people, and unhinging affairs generally. And to what end? For the sake of providing a new department and three officers. I know that the Prime Minister, before the elections, spoke about a tariff commission, but I am satisfied that very few, not even himself, conceived the idea of appointing such a vast concern as this is to be. One man could get all the information just as well as three. They have plenty of men in the departments that can get all the information that is required. We have the experience of fifteen years of remarkable prosperity and wonderful progress without a tariff commission, and during the time of the Conservatives, under the National Policy, they did not want a tariff commission to encourage that which led to the National Policy, according to the hon. member for Hastings—nor did they want a tariff commission all along the line for the eighteen years that they guided the destinies of this country, although they were revising and tinkering with the tariff every year. The recent government went about this matter in a businesslike way; they consulted not only the manufacturers, but the consumers and the producers as well, and found out what was in the interests of the country, and, without any tariff commission, they brought down

a tariff which, as I have said, and everybody admits, created the greatest area of prosperity in Canada that has ever existed in any country in the world. With these facts before them I think our government should have hesitated to load upon this country the enormous expense that this tariff commission will involve.

If it were to be appointed for one or two years it would not be so bad, but the term is five years, and the appointments may be renewed, which means that the commissioners will be in office for life. I venture to say that the tariff commission will cost this country $75,000 per year. We have not only the salaries of the commissioners, but we have rents, and payments to clerks, stenographers and experts in the different trades. All these people will have to be employed and paid. The commissioners can go anywhere in the country, and with the consent of the Finance Minister, can travel the world over. It will be necessary for them to go to Europe, to Germany, to the United States if they want to get the information which they specify in this Bill. Therefore, I say that a roving commission, such as this, travelling all over the world will cost $75,000, if not a good deal more. This tariff commission is totally unnecessary. All the information which is sought to be obtained could have been secured by one or two of the numerous officials of the Finance Department, and I regret that the government has seen fit to introduce such a drastic measure as this. With regard to the tariff commission, my hon. friend says it is to be appointed in the interests of the manufacturers of the country. I have no doubt that the object of the tariff commission is so to present the evidence and information to the Finance Minister as to warrant him, if necessary, to raise the duties on many manufactures. But I warn the government that the people of this country will not tolerate it; that the tariff which has been in force for fifteen years has produced such prosperity in the country that the people do not want to go back to the old days between 1878 and 1896 when there was depression all over the country. The powers of the commission are very drastic. Enormous powers are given to them. To show that one man might have done the work, they have provided that one of the commissioners can obtain all the evidence required. They can go to a man's place of business, and I venture to say that many of our manufacturers of Toronto are getting a gold brick when they ask for a tariff commission. Many of them will not be so infatuated with it when the commissioner visits their place and demands the production of their books to ascertain what they pay for the raw material, what the labour costs them, and what they receive for the manufactured goods. This information is supposed to be confidential, but how can it be kept confidential when twelve or fifteen people must necessarily know all about the commission and the evidence submitted to them? I venture to say the tariff commission will yet be a very unpopular thing with the manufacturers throughout Canada. I believe the tariff commission is to be appointed first for giving jobs to some faithful men in the party, and, secondly, for the purpose of securing such evidence that the government may be able to raise the duty on certain manufactured articles if they so desire. I do not believe they will venture upon that. The people of this country will not tolerate a further raise of the tariff, because they are in favour of lowering the tariff, if anything. The prices of the necessaries of life, and the cost of living in the great cities have been greatly increased, and there are thousands of men in the city of Toronto, and I venture to say in the cities of Montreal and Ottawa, who are finding it very difficult to make both ends meet. The whole effort of the government and parliament should be to devise ways and means to reduce the cost of living. In the recent negotiation for reciprocity with the United States, I was strongly in favour of that agreement. I believe that this country committed the greatest mistake it ever made, when it rejected the agreement that was obtained so unexpectedly—an agreement which we had long been looking for, and which would have enabled our farmers, in Ontario, the Northwest, and along the shores of the Baie des Chaleurs, and the Bay of Fundy, and those who reap their harvest from the sea, to sell their goods in the best market of the world, and

our manufacturers would not have been touched by the reciprocity pact to any appreciable extent. It is true automobiles were reduced from 35 to 30 per cent, but I think they could stand a ten or fifteen per cent reduction still. Some agricultural products were reduced from 17½ to 15 per cent, but the reduction, so far as manufactured goods were concerned, was almost nil. The treaty enabled our consumers and producers to sell their raw products in the best possible market. We have at present two markets for our goods, the home market and the free market across the ocean. This agreement would not have closed one market, while it opened another door to the markets of the United States, and if prices were better there than in England, we would send our goods across the border. If they were not any better, we would send our goods to England. I think this Bill is unnecessary, useless and highly expensive, and that it will produce no good to the country. The government have always obtained this information through the department, and I do not think this Bill is at all necessary.

Hon. Mr. BOYER—Taking my cue from the hon. gentleman from Hastings, who, speaking on this motion last Thursday, said that he was not enamoured with the measure presented to the House, we on this side, following his argument, are not enamoured with the Bill. Following further the argument of my hon. friend who, being in favour of a highly protective tariff, could not help having a dig at England, because a few knives from the United States or perhaps Germany had been sold to England, I desire in this connection to read three lines of statistics to show that free trade England is still at the head of all nations as far as trade is concerned, defying competition the world over. There is not a nation on the face of the earth to-day that can borrow a dollar without going on the English market. How is it that a country, laying down as the first plank in its platform free trade, has defied competition the world over, and is to-day the greatest producing market the world has ever seen. Speaking at the last election, Mr. McKenna, M. P., dealt with the arguments of tariff reformers. He said that in 1908 the value of the exported manufactured goods per head of population in the United States was £1 15s. 9d., in France £3 2s. 4d., in Germany £3 7s. 5d., while in the United Kingdom it was £6 13s. 4d., more than double the trade of any protective country in the old world. Such a state of affairs is possible in England, but in this country free trade is impossible, owing to the powerful neighbours to the south of us. We have had, in the last sixteen years, unbounded prosperity. During the election of 1896 I remember well the cry that was sent forth throughout the length and breadth of the country, that, if the Liberals came into power, all factories would be closed. In my own constituency large posters were displayed, warning 600 and 800 men that if the Liberals were returned to power this factory would be closed the day after the election. What has been the outcome? That identical factory in the county of Jacques Cartier, has since increased its capital from $500,000 to $5,000,000. It was employing at that time between 500 and 600 men; to-day it is employing more than 3,000 men. We Liberals simply answered that cry by saying that we had no idea of destroying industries in this country, but, on the contrary, our aim was to foster them, by giving every body a chance, by protecting, within the lines of our tariff, whatever industry might spring up throughout the country. What has been the consequence? The Liberals came into power in 1896. Mr. Fielding, in the second year of his term, lowered the duty on certain articles, and with what result? Unbounded prosperity. In 1905 Mr. Fielding, accompanied by Mr. Paterson, then Minister of Customs, and by Mr. Brodeur, then Postmaster General, commenced an inquiry through the length and breadth of Canada. They travelled over 11,000 miles, held over 90 public meetings. No secret meetings were allowed. It is stated in their report that whenever anybody desired to whisper in their ears their own particular grievance, it was not listened to. They held an open inquiry and listened to every one who had anything to say, either for or against the tariff. We should insist upon an inquiry open to all Canadians, whether producers or consum-

ers, so that we could ascertain the real wants of the country, and discover how we could better our tariff, either by lowering it or increasing it. All should be done for the welfare of the Canadian people. What was the result of the inquiry of 1905? Unbounded prosperity throughout Canada. The Minister of Finance last Friday issued a statement, which was given out to the newspapers, that he was going to have the largest surplus of any year in the history of the Canadian government. Is that not the best sign of the present prosperity of Canada? Our opponents in late years always said that our surpluses were fictitious. We have not seen this year a single word, in the Tory press, about this enormous surplus of $35,000,000 being fictitious. Nor has the late Liberal government been given credit for this enormous surplus. Taking the figure of $35,000,000 as the surplus for the fiscal year ending on the 31st of this month, is it not time that the country should be relieved from a certain amount of taxation, and that the government should apply itself to the task of cheapening the cost of living throughout Canada? It is a fact that, whilst in 1906 the cost of living was $77 per head, it has since risen to $100.50 per head of population. Is it not, therefore, the duty of every government, in view of this state of affairs, to endeavour to relieve the people of Canada from a certain amount of taxation? The industries could well stand it. When we look east and west, north and south, and observe the number of manufacturers that are highly, not to say scandalously prosperous, is it not time that a certain amount of the protective duties through which they have prospered, were removed, so as to cheapen the cost of living throughout Canada?

What is the result of high protection? High cost of living. Take Germany to-day, which is groaning under the cost of living. The population has risen en masse there asking the government to find some way of reducing the cost of living. Take France, which for years had the reputation of being a cheap country, under a protective tariff the cost of living has been increased over 50 per cent, and riots have taken place within the last two years, housewives, and other people who ought to know, calling upon the government to reduce the tariff so that everybody could live as they used to live when the tariff was lower. Coming to this country, we are asked to sanction the appointment of three commissioners to go through the length and breadth of this country to inquire into trade conditions throughout Canada. In my estimation this will be second hand information; it will be a repetition of what these commissioners will hear; and I venture to state that this commission will not be a success, for the very simple reason that people having reasons to give would rather give them at first hand than second hand. The best way was adopted by the late Liberal government in selecting three of its ministers to go through the country. They got information first hand. They listened to the wails and plaudits of the people, and then came before their colleagues and give viva voce a report of what they heard, and on their testimony a tariff was framed which brought to Canada success and prosperity. We are told that three such commissioners are going to be appointed. How will they be selected? Will they be chosen from the governing classes of this country? Will the friends of the party now in power be requested to furnish the necessary number of commissioners? For instance, will the banking class and the manufacturing class be requested to appoint one commissioner; will the consumers and the working classes of Canada be requested to appoint another commissioner? And lastly will the great producing class of grain growers and farmers throughout Canada be consulted in the appointment of this commission We have been told that three such commissioners would be chosen, that the banking and manufacturing interests should name one commissioner, that the consuming and working classes should chose from among themselves another, and that the grain growers and farmers of Canada should appoint one of their number as a third commissioner. You would have in that case an ideal commission, one in which we would have unbounded confidence, because one class, that is to say the consuming class, is everlastingly complaining about the high prices it has to pay for daily necessaries, while the

producing class, or the grain growers and farmers, are complaining that they do not get enough for their produce. This would be an ideal commission; it would be a trinity representing all the great interests of this country. In that commission we would have full confidence—confidence that those people would look after the best interests of this great country. How are these three commissioners to be appointed? Who are they going to be? Will they be of one class only? Will they be all of the manufacturing class, or all of the banking class, or all of the grain growing class? We are told nothing. We are asked to vote blindly for the appointment of three commissioners. I say that there is enough of the best material in the present government to choose commissioners from among its members—imitating in that respect the commission sent forth by the late Liberal government. Take the Minister of Customs; is there a man better able than a doctor to feel the pulse of this country? Is there a man better qualified to find out what is necessary to make his department prosperous? Take the Finance Minister—a gentleman, we are told, of unbounded knowledge in the financial world; is he going to be compelled to read over and pick out from this mass of evidence that will be taken by those three commissioners and find out the points that will most attract his attention, to aid him in relieving this country of taxation without lessening its budget? It will be work done twice over; and we on this side of the House taking our cue from what I have said—that the ideal commission would be one I have just named—are opposed to this measure, because we see no good result to spring from it, but that certain highly protected classes will, as in the past, still maintain their rights—pretended rights we say—which have increased the cost of living in this country one hundred fold. Taking our cue from manufacturers who seeking their pound of flesh for services rendered to the Conservative party, not only in the last election, but in previous elections, will require the present tariff to be maintained, we have no confidence in this measure. What we should love to see is a commissioner taken from the great manufacturing classes, appointed by themselves; a commissioner appointed by the agricultural interests in this country; and a commissioner appointed by the consuming element in Canada. We are told, further, that great benefits will result from this commission, in what way is left to the future to prove; but we say that the course pursued by the late Liberal government was the true and only wise one, and the best proof of it is the prosperity which Canada is to-day enjoying, the strong position of our finances, and the high state in which the credit of Canada stands to-day.

Hon. Mr. DOUGLAS moved the adjournment of the debate.

The motion was agreed to.

BILL INTRODUCED.

Bill (Z 2) An Act for the relief of George Mackay Sutherland.—Hon. Mr. Derbyshire.

SECOND READINGS.

Bill (U 2) An Act for the relief of Alvena Bell Leaitch.—Hon. Mr. Baird.

Bill (46) An Act to incorporate the British Trust Company.—Hon. Sir Richard Scott.

Bill (80) An Act respecting the Dominion Trust Company, Limited, and to change its name to Dominion Trust Company.—Hon. Sir Richard Scott.

The Senate adjourned until three o'clock to-morrow

THE SENATE.

WEDNESDAY, March 13, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

THE HUDSON BAY RAILWAY TERMINUS.

INQUIRY.

Hon. Mr. CASGRAIN inquired:

1. Has the terminus of the Hudson Bay railway been located?

2. Is it to be at Churchill or Port Nelson?
3. If at Port Nelson, upon whose recommendation?
4. How near in miles can vessels drawing twenty feet of water approach Port Nelson?
5. What is the depth of water at one mile from shore—2 miles, 3 miles, 4 miles, 5 miles, 6 miles, 7 miles, 8 miles, 9 miles, 10 miles, 11 miles, 12 miles, 13 miles, 14 miles, 15 miles, 16 miles, 17 miles, 18 miles, 19 miles and 20 miles?
6. What are the names of the naval experts who have recommended Port Nelson?
7. If there are none, is it the intention of the government to appoint naval experts to report on this harbour?
8. Are there any naval experts in the present cabinet?
9. Is it not a fact that for 300 years ships of light draught have been obliged to anchor —many out at sea—opposite Port Nelson and discharge their cargoes in lighters?
10. Is it not a fact that it is muddy bottom, offering very poor anchorage?
11. Could there be better conditions for a shipwreck anywhere on Hudson bay with a north wind?
12. Is Churchill not a better harbour?
13. Will the government place on the Table any reports in their possession, printed or otherwise, concerning Port Nelson?

Hon. Mr. LOUGHEED—The replies are as follow:

1. No.
2. Not yet decided.
3. Answered by No. 1.
4. Vessels drawing twenty feet of water can enter the inner harbour of Port Nelson at high tide.
5. Measuring from a point in Nelson harbour which was proposed for the location of piers, the depths of the channel are as follows, at low water: 1 mile 19 feet, 2 miles 15 feet, 3 miles 22 feet, 4 miles 20 feet, 5 miles 24 feet, 6 miles 24 feet, 7 miles 50 feet, 8 miles 70 feet, 9 miles 90 feet, 10 miles 40 feet, 11 miles 36 feet, 12 miles 30 feet, 13 miles 20 feet, 14 miles 22 feet, 15 miles 21 feet, 16 miles 17 feet, 17 miles 20 feet, 18 miles 22 feet, 19 miles 25 feet, 20 miles 30 feet.
6. Port Nelson not having been decided upon, until the question is decided the information will not be given.
7. Until decision is rendered, not at liberty to state intentions.
8. Modesty forbids stating accomplishments of minister.

An hon. MEMBER—Have they any?

Hon. Mr. LOUGHEED—Yes, many.

9. The departmental records do not give any information at that distant date.
10. The C.G.S. 'Minto' rode out a heavy northeast gale with the wind at 60 miles per hour in the deep hole about nine miles from the site of wharf, and reported good holding ground and fair protection from the sea.
11. Yes.
12. Subject of consideration after investigation.
13. Not at present, until a decision has been reached as to where the terminus will be.

Hon. Mr. CASGRAIN — Perhaps the House will forgive me if I say that soundings showing only 17 feet of water at mile 16 corroborate the information already possessed by a great number of people, that there is a bar outside of the harbour. If there is only 17 feet of water on that bar it is not safe for vessels. I speak more particularly now, when I see the hon. member in this House from Pictou (Hon. Mr. Bell); he understands navigation and knows that a bar with only 17 feet of water over it is not safe, and that a vessel could not stay there in a storm. It is also evident that only at high tide could vessels get over the bar. That the 'Minto' could have ridden inside of that bar in a northeast wind may be possible. The 'Minto' is a very staunch little vessel and these government steamers have special anchors and other facilities. I am credibly informed by sea-faring men that it would not be safe for ordinary vessels, and that nowhere on Hudson bay could conditions be better for a shipwreck than at the mouth of the river at Port Nelson. I have no motive in saying this: we are all here to give any information we may possess for the benefit of the country. I believe that is what senators are for. I might be allowed to say to the government that before deciding which port they will select, they should look carefully into this matter. I know that the late government were at fault just the same. I understand that the hon. Mr. Graham did pronounce in favour of Port Nelson on the report of an engineer. I claim it is not a matter for civil engineers; the government of the day ought to send a naval expert there to find out

whether it is a suitable place for a port. Civil engineers are able to go there and take soundings in summer or winter; that is all right, but that secures only part of the information needed. The government should have, in addition, a report from a naval expert, and I think that report would show Churchill to be infinitely the better harbour. Possibly it may be closed earlier in the season, but the season is short at either place. The government should also, during the coming summer, send a ship to Hudson bay and ascertain whether it could ride safely at Port Nelson. It would be well to see if they could find a single company, either the Allan line, the White Star Dominion line, the Canadian Pacific railway, the McKenzie-Mann's line, the Donaldson line, the Reford line, or any steamship company, that would trust a steamer in Hudson straits. I have often addressed the House on this point. I have read all the reports and they agree as to the navigation of the straits. Captain Wakeham stated that in the month of July his ship was lifted bodily out of the water by the pressure of the ice, and that if it had not been a ship of special design, it could never have stood the strain. If hon. gentlemen will read Garneau's history of the famous expeditions of D'Iberville, they will find that one of his ships was crushed before his eyes, and the men just had time to get across the ice to safety. It was the only ship commanded by D'Iberville that reached Port Churchill. If hon. gentlemen read later reports they will find out that the seasons have not changed. The weather is similar now. Then we have the expeditions of Mr. Lowe, who states that they got caught in the ice every month. Earl Grey happened to get favourable weather, and during the first week of August or the last week of July, managed to get out of the bay, but we have Commander Wakeham and Lieutenant Gordon reporting that they were crushed in the ice every year, though their ships were specially constructed for that navigation. Ordinary ships could not live in those straits. The tide runs at a rate of some nine miles an hour, with the ebb and flow, and the navigation is most dangerous. I am not against the Hudson Bay railway. I think it is a good thing, if they can only get to a decent harbour like Fort Churchill; then come down 700 miles to the mouth of the Nottaway and connect with the road which is to be built by the province of Quebec, and thus make connection with the Transcontinental. The navigation of the bay is quite feasible in summer, but the navigation of the straits is difficult. I should like to challenge any one to find a single company that will send an ordinary ship up there this summer.

Hon. Mr. DERBYSHIRE—How many months will navigation be open?

Hon. Mr. CASGRAIN—The bay itself will be open five or six months, but you cannot navigate those straits. The reports are in the library, and accessible to hon. gentlemen in this House. The earliest period at which anybody has ever entered those straits is the 10th July, and the latest they have been out is October, and according to reports in the library they have had terrible snow storms in the middle of August.

MILEAGE ON TRANSCONTINENTAL RAILWAY.

INQUIRY.

Hon. Mr. CASGRAIN:

1. What is the estimated distance in miles via the Transcontinental railway between Winnipeg and Quebec?
2. What is the estimated distance in miles via the Transcontinental railway, Cochrane Junction, North Bay, Scotia Junction, between Winnipeg and Montreal?
3. What is the distance in miles via the Canadian Pacific railway between Winnipeg and Quebec?

Hon. Mr. LOUGHEED—The reply furnished by the department is as follows:—

1. Mileage between Winnipeg and Quebec via the Transcontinental railway is 1,350·95 miles.

2. Winnipeg to Cochrane Junction via Transcontinental railway is 776·42 miles; Cochrane Junction to North Bay, by the T. & N. O., 252·80 miles; North Bay to Scotia Junction, by G.T.R., 65·90 miles; Scotia Junction to Ottawa, by G.T.R., 213·35 miles; Ottawa to Montreal, by the G.T.R., 116·20 miles; mileage between Winnipeg and Montreal is 1,424·67 miles.

3. The mileage between Winnipeg and

Quebec by the Canadian Pacific Railway is 1,587 miles.

A QUESTION OF PRIVILEGE.

Hon. Mr. ROCHE—When I entered the Chamber I heard my name mentioned in connection with a report. Since taking my seat I learn that I was one of those on a list of senators who had not signed the roll. I beg to inform the House that I have signed the roll and taken the oath, and that on Friday next I will move that the report be amended in that particular.

The SPEAKER—I understood that the list contains the names of those who have done so.

THIRD READING.

Bill (Q 2) An Act to incorporate the Interprovincial Fire Insurance Company.—Hon. Mr. Gibson.

SITTINGS OF THE HOUSE.

Hon. Mr. LOUGHEED—I give notice that hereafter, when the Senate adjourns on Fridays, it do stand adjourned until Mondays at three o'clock in the afternoon.

Rt. Hon. Sir RICHARD CARTWRIGHT—I should like to ask my hon. friend if he is in a position to state what Bills of any importance, other than those now in our hands, are likely to be brought forward by the government? I may point out to him that it will be as well to give reasonable time for any Bills of importance, anxious as we are to see, I won't say the last of him, but the last of the session. There are several measures which will undoubtedly require some discussion. Perhaps he could tell me what other measures than those on the paper the government are likely to bring forward?

Hon. Mr. LOUGHEED—We shall have in this House the Grain Bill and the Manitoba Boundaries Bill at a very early day. I am unaware of any important measures that will be brought down by the government, other than those that are now before parliament, that is, measures involving discussion at length.

Rt. Hon. Sir RICHARD CARTWRIGHT—I suppose in connection with the Manitoba Boundaries Bill, there will be Bills submitted as to the boundaries of Quebec and Ontario; those are a sort of adjuncts, I suppose.

Hon. Mr. LOUGHEED—I think in all probability that will be the case, and yet I cannot say with definiteness. I have not made inquiry into that, but that subject has been discussed very much with the other two Bills.

Rt. Hon. Sir RICHARD CARTWRIGHT—Then the only important ones——

Hon. Mr. LOUGHEED—Those are the only ones of which I am aware.

Rt. Hon. Sir RICHARD CARTWRIGHT—Perhaps the hon. gentleman will inquire and let us know to-morrow if the government have any other important measures in store for us.

Hon. Mr. LOUGHEED—Yes, I will inquire.

Hon. Mr. DANDURAND—Did the hon. gentleman state that the had a doubt as to Bills being brought down for the extension of the Ontario boundary as well as that of Quebec?

Hon. Mr. LOUGHEED—No, but I understand the boundaries of those will be likewise dealt with.

THIRD READING.

Bill (U 2) An Act for the relief of Alvena Bell Leaitch.—Hon. Mr. Baird.

CIVIL SERVICE ACT AMENDMENT BILL RELATING TO PRIVATE SECRETARIES.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (60) An Act to amend the Civil Service Act.

(In the Committee.)

On clause 1,

Hon. Mr. POWER—When this Bill was being read a second time I made a few obvious criticisms on it, and I propose to say a few words more on the Bill at this time. It differs, in the first place, from the existing law on the subject in this respect; the existing law provides that a person chosen by a minister to be his private secretary may be put into subdivision 'B' of the second division. This Bill provides that he may be put into subdivision 'A' of the second division, or into subdivision 'B'

of the first division. The provision I have just mentioned, is a provision of the Civil Service Amendment Act of 1908. The object of that Act, as stated at the time, and as we understood it here, was to take the civil service, as far as practicable, out of politics. This Bill is intended to steep the civil service, as far as the Bill goes, in politics. It is practically driving a coach and four through the Civil Service Act. We have to consider what might happen. Under this Bill a gentleman comes in as private secretary of the minister. He is not required to pass an examination such as all others who come into the civil service have to pass. He is liable to be placed immediately above the heads of men who have long served the public faithfully. After the lapse of a year he can be made permanent in that position. It must strike every hon. gentleman that this is a measure which is unfair in itself. It is contrary to the Civil Service Act; it is contrary to every dictate of fair-play, and it is most unfair to the existing staffs. Here you have outsiders placed over the heads of men who have been in the civil service, and who passed an examination to show their fitness and qualification for office, men who have served the country in some cases for 20 or 25 years. It must strike every hon. gentleman that it is exceedingly unfair, and this Bill, if it should become law, may lead to very gross abuse. I do not wish it to be understood that I am at all opposed to placing the private secretaries on a satisfactory footing. The conditions with respect to private secretaries at present are undoubtedly not quite satisfactory. There is a provision that a private secretary, in addition to the salary which he gets under the wording of the Civil Service Amendment Act, shall have a yearly allowance of $600, and when the civil servant ceases to be a private secretary, the payment of $600 is supposed to cease also. That no doubt is rather a grievance to the gentlemen who have been receiving the $600. Considering that these gentlemen are to be exempted from the obligation of undergoing an examination it strikes me that it would be quite sufficient, if we are going to pay them larger salaries than they have been paid in the past, to provide that they should have these larger salaries without the $600. You put a man who just comes in, without any necessary qualification, into subdivision A of the first division. He receives about $3,400 a year, and then you give him $600 more, which brings him up to $4,000. That is a larger salary than the deputy ministers were receiving ten years ago. Considering that there are about fifteen private secretaries, one could see to what abuse the carrying out of this measure, if it becomes law, may lead. I feel that there is no urgency about the matter. The passing of this measure is not urgent, because the Bill itself provides that a year shall elapse before the civil servant shall be permanently in this advantageous position, and if we defer action for a year, it will not prevent the civil servant being placed in a proper position a year from this. The government have taken power to appoint a third member of the civil service commission. I may say, speaking for myself as an individual member, that I have not as strong an objection to that measure as some other members have felt; and I think that this civil service commission should, during the coming year, consider carefully the whole subject of the organization of the civil service, and that when we meet again the government should be in a position to lay on the table of both Houses a report from these commissioners setting forth the manner in which in their judgment, the civil service should be organized. Any such report would naturally make well considered provisions for the case of private secretaries, but if we pass this measure now, and the civil service commissioners do undertake to consider the organization of the civil service as a whole, they will be met, when they come to deal with the cases of private secretaries, with this enactment, and it will be claimed that parliament is not at liberty to deal with the private secretaries in a way that is fair to the public service and to the other members of the civil service, because these private secretaries will have, during recess of parliament, acquired vested rights. That is one of the strong objections to our dealing with the matter now. During the interim between this

session and next session the private secretaries of the present ministers will not suffer very seriously. They will be in just the same position as were the private secretaries of the ministers who have gone out of office, and I think, take it altogether, these gentlemen did not fare too badly. The private secretary is generally a comparatively young man, and a salary of $1,600, with $600 additional, is very fair pay for a young man who is just beginning his career in the civil service. It may be thought that we should do all that we can now; but the hon. leader of the government stated, in reply to a question from the right hon. leader of the opposition just now, that it was not proposed to pass any further important measure with respect to the civil service. That was involved in the answer which the hon. gentleman gave. It will be remembered that the most urgent matter in the interests of the public, and also of the civil service is the placing of the retirement of civil servants on a proper basis. There should be a respectable superannuation system, and some provision made for the families of civil servants who die.

Hon. Mr. POIRIER—Hear, hear.

Hon. Mr. POWER—This House two years ago considered this subject with a good deal of care. A committee sat on the question, held several meetings and presented a report which, with one slight amendment, made on a motion of the hon. gentleman who now leads the government, was adopted unanimously by this House. The House committed itself to the Bill, and commended the measure to the favourable consideration of the government. I regret to say that the late government, whilst they were in favour of the measure, did not deal with it as promptly as they might have done. The right hon. gentleman who leads the present government expressed himself on more than one occasion as being in favour of a measure of that kind. It was expected by the civil servants, and I think too by the public, that when the present governement came in they would deal with this question of the retirement of public servants. As I say, it is a much more urgent matter than the addition to the salaries of private secretaries; but the government have not done that. They propose to let that matter stand, and there is this to be borne in mind; that there was a Bill in existence which had been approved by the Civil Service Association, and which, while it might need amendment in some particulars, was, as a whole, a measure that might very well have been adopted. If the government had taken hold of that measure they could, without any difficulty, have had it become law during the present session. If they propose to deal with the civil service as a whole there is something to be said in favour of deferring action, but the same argument applies with greater force to the Bill now before us. I am speaking now as an independent member of this House, and not because this Bill is a government measure, but I should be anxious to see this question of the private secretaries settled, and settled in a way that would be fair to them and not unfair to other members of the public service. If the measure had been introduced by the political party with which I generally act, I think that I should probably have taken just about the same line that I take now. I, therefore, move that the committee rise.

Hon. Mr. LOUGHEED—I think the fears expressed by my hon. friend as to this involving the civil service in politics are entirely groundless. This does not furnish a new condition or a radical departure from the law as it stands upon the statute-book, except as to giving private secretaries an advanced status over that which they occupy under the Act. It was ascertained by the late government, and readily acknowledged upon the floor of the House, that the Civil Service Act did not make satisfactory provision for private secretaries. Even Sir Wilfrid Laurier supported this Bill upon its introduction, and said he regarded it as necessary, using these words:

> The object of the Bill is simply to give the private secretaries of ministers rank and status which they cannot have at present under the law. I find no fault with that, and am ready to give the suggestion of the government favourable consideration. I know by experience that it is impossible to get the services of a private secretary qualified to discharge the duties unless we give them sufficient salary.

Hon. Mr. POWER—Can the hon. gentleman tell us whether those remarks were made before or after the government had declined to make the Bill applicable to all private secretaries?

Hon. Mr. LOUGHEED—When the Bill was up for second reading.

Hon. Mr. POIRIER—I have reason to believe that the Bill was modified to meet Sir Wilfrid Laurier's own views, to do justice to the secretaries of the old ministers.

Hon. Mr. LOUGHEED—Why my hon. friend, who usually exercises very great exactitude in what he says upon subjects of this kind, should say that the design of this Bill is to place the civil service in politics, or to take the civil service outside of the scope of the commission, I really cannot appreciate. It simply proposes giving permission to the ministers to advance their private secretaries from subdivision 'B' of the second division to subdivision 'A' of the second division, or subdivision 'B' of the first division.

Hon. Mr. POWER—That is quite a lift.

Hon. Mr. LOUGHEED—My hon. friend seems to assume that the private secretaries will receive the maximum salary. That does not necessarily follow. I might point out to the hon. gentleman that there are very important departments of the public service that require private secretaries of a higher standing, and of greater ability, than the private secretaries of what I might term the minor departments. I further say, with the greatest possible confidence, that it would be utterly impossible for business and financial men to secure the services of such men as are required to perform the duties of private secretaries, even at the advanced salary proposed by this Bill. My hon. friend compares a private secretary enjoying a maximum salary, which this would afford, with a deputy minister before the passage of the Civil Service Act. I say a private secretary of a minister performs much more important duties, very frequently than the deputy minister, and it is utterly impossible to secure the service of such men without reasonable compensation. It is not in the public interest that inferior men should be selected for the performance of very important and high-class duties. My hon. friend has said this could be deferred for a year. The late government met the same difficulty as this government is experiencing, and it is unreasonable to suppose that private secretaries can be secured, who often times have to sacrifice very good positions to enter upon an uncertain tenure of office. There must be a certainty before you can secure men who will sacrifice good positions to become servants of the government. As to this becoming the subject of abuse, I quite confess that it could be. There is a possibility of its being subject to abuse precisely the same as the law which is at present upon the statute-book. It does not follow, and it cannot be reasoned out logically, that it will be the subject of greater abuse than any other legislation upon the statute-books. There is not a law within the four corners of the statute-books that cannot be the subject of abuse. We must place a fair amount of confidence in the administration of public affairs by ministers of the Crown charged with the performance of these duties. It certainly would be a very paltry thing to suppose that a minister of the Crown, charged with the administration of very important affairs, is going to to use this power for the purpose of thrusting into the public service an official who otherwise would not act as private secretary. We must take these chances. I am not aware that any charge was brought against the late government of abusing the Act as it has stood upon the statute-book. I have a higher conception of public men on both sides of politics than to think they are going to resort to petty tricks of the kind that have been intimated for the purpose of giving status to a public officer.

Hon. Mr. CHOQUETTE—Will the hon. gentleman tell me why the Bill is retroactive, coming into force on the 10th October, 1911?

Hon. Mr. LOUGHEED—For the reason that the private secretaries who were then secured by the Ministers, some of whom had abandoned very important positions to

accept these offices, had to receive some assurance, I apprehend, from the Minister that their status would count from that particular date. The law up to the present time would not permit this salary being paid, and except the law be made retroactive they would be under a disadvantage.

Hon. Mr. CHOQUETTE—Would that cover the private secretaries of the ex-ministers?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CHOQUETTE—Why not?

Hon. Mr. LOUGHEED—Because this would simply go back to the date of office upon which the present private secretaries entered the service.

Hon. Mr. CHOQUETTE—Why not say the 1st October instead of the 10th?

Hon. Mr. LOUGHEED—My recollection is that it was the 10th day of October the government came into office.

Hon. Mr. CHOQUETTE—Was there not an understanding with some of the ex-ministers?

Hon. Mr. LOUGHEED—No, I cannot say that, except that this Bill received the support of the late government and the House of Commons, and the commendation of the ex-Prime Minister in the language which I have read. Such provision as could be made within the law has been made for the secretaries of the late government.

Hon. Mr. POWER—I asked the hon. gentleman if these observations of the ex-Prime Minister were made before or after the Minister of Finance announced that this Bill would be applied to the secretaries of the ex-ministers?

Hon. Mr. LOUGHEED—These remarks were made by Sir Wilfrid Laurier when the Bill was in committee, and the Bill came from the committee just as we have it.

Hon. Mr. CHOQUETTE—I am in favour of the Bill as far as it goes, but I would like to have it apply to the secretaries of the ex-ministers.

Hon. Mr. LOUGHEED—I do not see how that could be done by this Bill. In the first place, it is a money Bill and this House could not amend it. In the second place, the conditions would have to be especially provided for. The conditions are entirely different. This simply amends the Civil Service Act so that, from the date upon which the private secretaries, who would get the advantage of the Bill, enter upon their duties, the increased salary would come.

Hon. Mr. CHOQUETTE—I do not see why the Senate could not amend the Bill, by just changing the date, and make it date ten days back. That would not make much difference, and I think this Bill has a right to do that. I should like to support the Bill, but there is something that I do not understand, and that is putting the Bill into force, when the new private secretaries would be affected. I am favourably impressed by the remarks of the ex-Prime Minister, in whom I have the greatest confidence. I do not understand why he should support a Bill in which his own private secretary is not included. I should like to support the Bill, but I do not find my way very clear to do so as it is at present.

Hon. Mr. LOUGHEED—My hon. friend from Grandville (Hon. Mr. Choquette) will readily appreciate the fact that we could not originate a Bill dealing with finance. We could not amend this Bill so as to make provision for the payment of any money out of the public treasury. Besides we have no knowledge upon that particular point. And, furthermore, the proposition which my hon. friend suggests, would not meet the conditions to which he has referred. This looks to a private secretary giving a year of his services before that could be done. In order to act on his suggestion, we would have to go back over a year or a year and a half. That is a condition that I am satisfied the government and the members of the late government have an understanding upon.

Hon. Mr. CHOQUETTE—If there is an understanding it is quite different.

Hon. Mr. LOUGHEED—The ex-Prime Minister gave his strongest support to this measure, and spoke several times upon it, because he was confronted with the same

conditions and the same difficulties which I have pointed out. There was no amendment moved to that, no hostile criticism offered; but I say the support of the ex-Prime Minister was given to it, and also that of the opposition.

Hon. Mr. CHOQUETTE—I suppose we may take it for granted that there was an understanding.

Hon. Mr. LOUGHEED—I think that the matter of which my hon. friend speaks has been satisfactorily adjusted. The attempt of my hon. friend from Halifax to couple this Bill with a system of superannuation at this time seems unreasonable. The two subjects are entirely distinct the one from the other.

Hon. Mr. POWER—I simply made the point that this was not an urgent measure, that it was not as urgent as the other Bill, and it was thought proper to let the other Bill stand over till next session.

Hon. Mr. LOUGHEED—In answer to that I would say, it is because the other is a question of policy, and it is for the government to consider very gravely the question as to whether the country shall be involved in a system which would necessarily result in the payment of a very large sum annually to the civil servants, and it would be unreasonable to suppose that this government, coming into office just on the threshold of the session of parliament, should be able to give mature consideration to a superannuation measure and bring it down at this session. While I am not giving expression to any opinions on the subject, yet I am bound to say it is one which must necessarily demand a great deal of information before anything is done about it.

Hon. Mr. BELCOURT—Whilst I am not going to support the motion that the committee rise, or any other amendment, because the chances are that any amendment of that kind would not receive the sanction of the other House and possibly might be unconstitutional for the reasons mentioned by the leader of the government—that we cannot amend a Bill which deals with money matters—I must say I think there is an invidious discrimination here which I do not like. Why cannot a private secretary, who has acted as such in the past, be eligible for appointment to this subdivision just as well as a secretary who is now acting, or who has been appointed since the 10th of October, unless this government is prepared to say that because a private secretary acted as such for a minister who was a member of a Liberal government in the past, he is not eligible. Why this distinction? My hon. friend says that apparently there has been some understanding with the late government. Well, we do not know that.

Hon. Mr. LOUGHEED. I understand the late ministers made due provision for their private secretaries. I am not prepared to say how it was done, but I think the private secretaries of all the ministers have been duly provided for.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think my hon. friend is in error there.

Hon. Mr. LOUGHEED—I may be, in saying that all of them are, but I know that some of them are.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am quite certain that if it was done it was only done in a few cases.

Hon. Mr. LOUGHEED—I may be in error in saying all, but I am not aware of any isolated case in which such was not done, and yet I do not speak with authority on the subject.

Hon. Mr. BELCOURT—My hon. friend admits that if any case of that kind exists it will be impossible to provide for it here, and he will see that I am quite right in saying that there is a discrimination under the Bill. While I am not going to propose any amendment, I am going to suggest to the hon. leader of the House that the only right thing to do would be to let this Bill stand and amend it so that every gentleman who was chosen by a minister to act as his private secretary shall be eligible under this Act. I hope my suggestion will commend itself to the leader of the House.

Hon. Mr. DANDURAND—I am not very much concerned with the late secretaries, who went out of office with the late cabi-

net, because it would seem to me that it was for their superiors, who are now sitting to the left of the Speaker in the other House, to attend to looking after them. I simply rose to say that I feel somewhat hampered by the information of the hon. leader of the government when he states that this is a Bill which could not be amended by this House. I would not be disposed to concur in the amendment of the hon. member from Halifax, because I still cling to the idea I suggested the other day on the second reading, that the one year mentioned in the Bill is too short, and my intention was to move to replace the word 'one' by the word 'three,' as the minimum time which a secretary would have to serve before he would be entitled to get that very high salary which is now mentioned in the Bill. It is because of a conviction that we can deal with this Bill in committee and amend it if we desire, that I intend to act on the suggestion of the hon. gentleman from Ottawa, who declines to vote that the committee rise.

Hon. Mr. CHOQUETTE—I do not wish to go on record as admitting the position of the leader of this House that this is a money Bill and that we cannot touch it. If we cannot touch it, what is proposed by my hon. friend from De Lorimier coud not be put either, because in nearly every Bill there is a question of money involved, and therefore, it would be useless to ask us to study this Bill. I have in my hands a Bill which is to come before us in reference to the improvement of highways. That is all a question of money, and is it to be said that the Senate cannot amend a Bill like that? It is not only a money Bill, but it goes further and says that money is to be granted to the provinces.

Hon. Mr. DANDURAND—I would draw attention to the fact that the Speaker of the other House has specially declared that this Bill has a reference to money, but is not a money Bill.

Hon. Mr. CHOQUETTE—I do not care if he declares that; I say this is not a money Bill any more than the other one, and I say that if this Bill is a money Bill we could accept the few words suggested by my hon. friend from Ottawa (Hon. Mr. Belcourt) just as in this Bill (77) about the improvement of highways. I am not going to vote for the amendment, but it is not because I think this is a money Bill.

Hon. Mr. BEIQUE—I think the hon. leader of the government in this House should reconsider his opinion with regard to this being a money Bill. If this is a money Bill, the Civil Service Act would be a money Bill. It is a Bill to amend the Civil Service Act, and surely this House was competent to deal with that Act when it was presented, and to amend it, and I think this House did exercise its power in that respect in dealing with the Civil Service Act. The money part of it is a mere incident to the Bill itself, which is intended to deal with a class of persons occupying positions in the civil service, and therefore I think it is quite plain that it is not a money Bill which is outside the jurisdiction of this branch of parliament. Let my hon. friend from Halifax correct me if I am in error, because I have not had occasion to pay any attention to this Bill until a few minutes ago. My understanding as to the effect of the Bill as presented is that it is merely increasing the salaries of private secretaries to the ministers. It provides for them being placed in a higher rank than they could have been placed in under the Act as it stands on our statute-book. The latter portion of the clause says

> And after one year's service as such secretary, he shall be deemed to be permanently appointed to the inside service at the salary he is receiving as such clerk, and would rank in such subdivision.

Hon. Mr. POWER—I pointed that out quite distinctly.

Hon. Mr. BEIQUE—Then it escaped my attention. My mind was not perfectly clear as to whether the change in the last portion of the clause from what it was and what it is in the statute, has the effect of making any change. I do not think it has. What is the opinion of the hon. gentleman from Halifax?

Hon. Mr. POWER—I do not suppose it did.

Hon. Mr. BEIQUE—As far as I am concerned, I think that a good deal of latitude

should be given to the ministers in the appointment of their private secetaries, and the latitude should extend to their being able to demand persons properly qualified, and of course to pay them proper salaries, and, therefore, I would not be disposed to challenge the Bill in that respect, but when my attention is called to the effect of this law as it stands, and as it will stand on the statute-book if this Bill is passed, I think the suggestion made by the hon. gentleman from De Lorimier is a wise one, that the delay of one year is too short, and especially when we are going to increase the salaries of these private secretaries in a very large measure. It might be the means of placing in the civil service a great number of persons who would be passing through the secretaryship mainly for the purpose of reaching the inside service and receiving exorbitant salaries compared to the other members of the civil service, and therefore I think this House should be guarded in dealing with that part of the clause. It seems to me, also, that we should be further enlightened as to whether provision has been made for the secretaries of the late ministers.

Hon. Mr. LOUGHEED—I direct my hon. friend's attention to the discussion which took place in the House of Commons. The point was raised by Mr. Lemieux, who said:

> Was it not the intention of the right hon. gentleman to do that?

Referring to Mr. Borden, and Mr. Borden answered him:

> No, that did not occur to me, for I had understood that the secretaries of ministers of the late administration had been provided for, except in one case, which was brought to my attention, and for which I undertook to make some provision.

So that they have apparently been provided for.

Hon. Mr. WATSON—When this Bill was read a second time I called the attention of the House to the fact, which has been referred to just now, that the period was too short. This Bill leaves it open for a minister to practically appoint a gentleman to a good position in the civil service without examination, and without any particular qualifications after twelve months. As a matter of fact, if a minister was anxious to do a good turn to a friend, who was not competent and who could not pass an examination, he could appoint him to a position.

Hon. Mr. LOUGHEED—The present law is the same.

Hon. Mr. POWER—The salary is not so excessive under the present law.

Hon. Mr. WATSON—I expressed myself a few days ago that I believe in providing for the private secretaries. I believe it is right and proper. I think any man who gives up his time as private secretary to a minister should not be thrown out in the cold on the government going out of power, but should be provided for. Do I understand that those gentlemen who are provided for and taken into the civil service are on the same footing as the civil servants who have passed an examination; or are they engaged in employment outside the service, drawing their pay? I do not understand that the government can give them any employment without their passing an examination and being taken on in the regular way.

Hon. Mr. LOUGHEED—Perhaps my hon. friend from Portage la Prairie did not catch my observation. That question came up in the House of Commons, and Mr. Borden stated in answer thereto that all the secretaries of the late ministers had been provided for with the exception of one, and Mr. Borden has given an intimation that he will make due provision for him.

Hon. Mr. WATSON—But they had the same status as the civil servants?

Hon. Mr. LOUGHEED—I cannot say as to that. Under the Act as it is to-day, they could be given the status of civil servants, and doubtless they were, after serving as private secretaries.

Hon. Mr. WATSON—I think when you are making a provision in an Act of this kind that you should let it extend back further. Instead of making it the 10th of October, make it the first day of October; then all would come in and be treated alike

Hon. Mr. LOUGHEED—Oh no, that would not do.

Hon. Mr. WATSON—There are two or three points on which this House should be well informed before passing the Bill. I consented to second the motion of the hon. gentleman from Halifax that the committee rise, which of course, would kill the Bill for the session, but I an inclined to think that the hon. gentleman would be satisfied that the committee should rise and report progress, if the leader of the House would undertake to give some information to clear up points which are now in dispute. I rather favour the idea that we should rise and report progress, and get further information. We should have some assurance as to what position the late private secretaries are going to occupy before the Bill is passed.

Hon. Mr. BELCOURT—The hon. leader of the government should take my suggestion into his serious consideration. I do not think it is quite the thing to have to discuss the position of this or the other private secretary, and I do not see what harm my suggestion would do.

Hon. Mr. LOUGHEED—What is the suggestion?

Hon. Mr. BELCOURT—That everybody who has acted in that capacity should be treated similarly, thereby avoiding unseemly discussion as to this, that or the other gentleman, and you enable the government to treat private secretaries of the past as you treat those of to-day.

Hon. Mr. LOUGHEED—I shall be glad to bring down any further information I can obtain. It seems to me extraordinary, both sides of the House of Commons having agreed upon this Bill, that we in this House should disagree in regard to a subject which does not concern us except in a very public and general way. All the ministers with portfolios having secretaries are in the House of Commons. A condition arising under this Bill could not arise in this House until there is a minister with a portfolio in it. I desire to meet the views of hon. gentlemen here, I shall be very glad to permit the Bill to stand, and shall bring down further information on the subject.

Hon. Mr. BELCOURT—I am asking the hon. leader of the House to look at my suggestion on its own merits, irrespective of what has been done in the other House. If he does not approve of my suggestion I do not propose to insist, but I should like to know if my suggestion is not a fair and reasonable one under the circumstances.

Hon. Mr. LOUGHEED—The only criticism to which that suggestion is open would be that the private secretaries of the late ministers entered upon their duties with the full knowledge of the law, and the full knowledge of the compensation which they were to receive; consequently it cannot be said that their position has been in any way prejudiced.

Hon. Mr. BELCOURT—It is the same with the present secretaries.

Hon. Mr. LOUGHEED—No.

Hon. Mr. BELCOURT—They came in under the old law.

Hon. Mr. LOUGHEED—No, because the present government represented to the secretaries who had entered upon their duties when this government came into office that they would change the law along the lines of this Bill; consequently those secretaries have entered upon their duties with practically an undertaking, or representation from the government that they would be placed in an advanced class. Futhermore let me say that if the secretaries of the outgoing ministers have been satisfactorily provided for, is it good policy that we should pass legislation placing them in an advanced position—a position which they are not anticipating, and not expecting—because new conditions have arisen. It seems to me it is not a good policy that that should be done. However, I shall make every inquiry into the subject, so that to-morrow I may be able to tell my hon. friend what was really done with the secretaries.

Hon. Sir RICHARD SCOTT—Formerly private secretaries were not on the same plane; some were in the first class, some in the second, and some in the third class.

That is my own experience. The principal secretary in my department was only advanced after eight or nine years service into a higher grade. It depended upon the capacity of the private secretary. They would not be all on the same plane.

Hon. Mr. POWER—Do I understand the suggestion of the hon. gentleman from Portage la Prairie is that my amendment be withdrawn, and that there be substituted for it a motion that the committee rise and report progress, and that when we go into committee again the hon. leader of the House will give the information asked for?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. POWER—With the consent of the committee I ask leave to withdraw my motion, and substitute a motion that the committee rise, report progress and ask leave to sit again.

Hon. Mr. DANDURAND — Before the question is put I should like to draw the attention of the hon. the leader of the House, to the fact that I intend to move that one year be changed to three years. I do this in order that we may be prepared to express an opinion upon it.

Hon. Sir MACKENZIE BOWELL—What reason is there that the law should be changed to that extent except the one, that you have no confidence in the present ministers? Under the old law, as I understand it, all that is required is one year's service in order to enable promotion to be made to a certain class. As I understand the present proposition, you give an opportunity to a minister to recommend the promotion of his private secretary, after serving one year, to a higher grade than he occupied under the old law. Under the Act as it stands, a minister could recommend that his secretary be advanced to a higher grade after serving the same length of time. My own view is that under the old law, three years would be a short enough period of service, unless the secretary was appointed with the distinct understanding that at the end of the year he should receive promotion. While my own individual opinion would be in favour of the three year service, I have heard no reason given as yet, by the gentlemen who have discussed this question, why the same regulations and privileges should not be extended to the ministers of the present day, which the ministers had and exercised under the old law.

Hon. Mr. BELCOURT—Reverse the proposition.

Hon. Sir MACKENZIE BOWELL—Your reason may be that you have no confidence in the present ministers.

Hon. Mr. BELCOURT—No. Treat the others in the same way that you suggest these should be treated.

Hon. Mr. DANDURAND—I will candidly answer my hon. friend and say that I never noticed the form of this enactment, and if it had come under my review I would have suggested to increase the term from one year to three years. Seeing it now, and finding that the salary is a larger one than a secretary would be entitled to under the old law, it seems that it is an additional reason why he should serve longer as secretary before he is entitled to that very large salary and that exceptional privilege which is contained in the law as modified by the present Bill.

Hon. Mr. POWER—Perhaps the House will allow me to say just one word; in my humble opinion this is a money Bill and we cannot amend it.

Hon. Mr. YOUNG—From the committee, reported progress and asked leave to sit again to-morrow.

TARIFF COMMISSION BILL.

DEBATE RESUMED.

The orders of the day being called: resuming the further adjourned debate on the motion for the second reading of Bill (88) An Act to provide for the appointment of a tariff commission.

Hon. Mr. DOUGLAS—Before addressing myself to Bill (88), I wish to refer to some remarks made by the Hon. Mr. McMullen yesterday afternoon. Representing the people of the Northwest, we like to take care of their good name, their

good character, their intelligence and business capacity. I want to inform the House that we have the choice of the old provinces with us in the west. They have come to us after having been educated in the colleges and in our wonderful system of national schools, which cannot be surpassed in any country. We have the young men and maidens from these old provinces, who have cast their lot in the Northwest Territories, and they are, I must say, our best settlers and most progressive people. It was said yesterday that they had been treated better, or as well as any other people in the British Empire. The people of the Northwest are not complaining of their treatment by the late government. They have not been asking special favours from the present government. These statements were uncalled for. It is here stated how much has been done for them; building railways and developing the western country, erecting buildings and improvements and so forth. I want to say that nothing has been done for the people in the west that has not been done in other provinces and other portions of the Dominion. No special favours have been conferred upon them in reference to public buildings. If the late government adopted an immigration scheme that brought such a large number of people into that country, it was the right of the government to provide for these people. They could not be cast on the prairies without due attention and care. Where people settled in remote places, I am happy to say that the late government in a very few weeks provided post-offices for them, and saw that they were provided with means of communication with their friends in the old world, or wherever they may have lived. Everywhere there was satisfaction on the part of our people with the kind treatment they had received generally at the hands of the government. There is no complaint to be made, nor are there any charges that can be laid against them as grumbling or fault finding unnecessarily. It has been said here that there are certain reasons for dissatisfaction, such as the prevalence of frost and losses in connection with the late harvest. Such statements are made in defence of the corporations who should provide means of transportation. I want to make a statement which perhaps has not been made by any person as yet; to my knowledge, the unique position of the whole question in the Northwest for the last year's harvest is a condition of things that may not occur again. I have been some thirty-two years in the country, and I never saw anything equal to it. The cause was climatic; no government could anticipate such a condition of things. No railway corporation might be able to cope with things under these special circumstances. Whilst it is disastrous and the people have sustained a great loss, yet we must look at it from a proper standpoint. We know that the means of transportation was not at all equal to the demand. I would not lay the whole blame on the Canadian Pacific railway. I know the arguments that they used in connection with it, that it is impossible to expect any company to have such an equipment of rolling stock that they would be able to move the large crops that are now produced within a few weeks after the harvest. In this case it was not the want of rolling stock that gave rise to a great deal of the trouble. The rolling stock was piled up in the south of Manitoba; it was largely for the purpose of distributing coal to the people. It was not the want of rolling stock tnat put a stop to communication between the head of the lakes and the interior last autumn in the months of December and January. It requires usually about twenty days for a train of wheat cars to reach the lakes from the centre of the wheat growing country in the interior. It requires about ten more days for them to return on their trip. I have heard from the officials of the Canadian Pacific railway at meetings in this city, two or three years ago, that the most they can expect of any car in one season was three trips. Therefore, you can see it would require a very large number of cars to meet the necessities of the case. This season it was not so much the want of rolling stock as the want of good weather. If we grumble and complain we have to address ourselves to the clerk of the weather and see that another year we get, and deserve, better things. In the month of December, and especially during the month of January, it was almost im-

possible to run an engine through that country with a load, for the simple reason that the extreme frost interfered with the flues of the machine and they became leaky, and often died out in transit towards the lakes. They were unable to reach their destination, and then they were run into some side place until something could be done in the way of getting them repaired. The traffic was almost entirely stopped from the middle of December until the end of January. I like to be honest. We must give corporations, and every party concerned, their due, to be just in our criticism. In the early days, when the freight rates of the Canadian Pacific railway were very high, and when they called upon the productive parts of the country to make up for the unproductive parts, such as the barren pieces of road north of Lake Superior and further west towards the coast, I said a good many things against the Canadian Pacific railway, so that it is right for one living in the Northwest and interested in its prosperity to make this statement. Those men were told by the same gentlemen that he was opposed, like them, to free intercourse with the United States. He declared himself in favour of high protection, and he told us if the markets of the west were thrown open to the United States, three quarters of the manufacturing institutions of this country would be wiped out of existence in three years. I am quite sure that nothing of the kind would take place. It reminds me very much of the speeches we used to hear from Sir Charles Tupper in 1896, when he told us that desolation and ruin must follow the introduction of a lower tariff. Nothing has happened in this country by reason of the reduction of the tariff. The people were disappointed with the late government because they did not see their way to the reduction of duty on agricultural implements. It was a burning question with them, and to-day they are exceedingly sensitive in reference to anything that may be done in connection with the raising of the tariff. Why should it not be so? The farmers in that country are not complaining; they are willing to fight their own battles; but they have to purchase in a home market—and we are glad to see that they are able to do so with such advantage—but they have to sell in the freest market in the world. As a Liberal, every one in the House knows that my principles have been for free trade largely—I do not say free trade in the fullest sense, but as far as possible, to provide a proper income if necessary to successfully carry on the business of the country and the west is ready to do and pay its share. I want to say further that the government cannot help the farmer in his markets, that is beyond the power of any government. Why? Because in raising grain we come into competition with the Orient, and have to compete with the cheap labour of the coolie of India, who is competing with our young men of the west in producing wheat for the English market. But the circumstances, and the climate of the coolie are entirely different, and his expenses are absolutely trifling in comparison with the conditions we have in the Northwest, where the cold climate requires the farmer to wear furs in order to protect his life while driving to market with grain, whereas ten yards of common cotton would clothe a dozen coolies while raising wheat in the fields of India. We also come in competition with Argentine, where they have decided advantages over us in the way of cheap labour, and a better and shorter route to the British market than we can possibly have, or ever will have. We are also shoulder to shoulder with the serfs of Russia, who work for a pittance, yet we have to sell in competition with them in the same market. What can any government do to help us under those conditions? We have to fight our own battle. We must provide ways and means of raising this grain at less cost than those people can possibly do, and so overcome a certain amount of expense and be able to cope with the world of cheap labour in the Orient. It can scarcely be said the Northwest farmers have a home market in Canada, though the Northwest is a home market for Canadian manufacturers. We are glad that they find a large market with us, and it is said that not less than seven thousand drummers, or agents, from manufacturing and wholesale houses are run-

ning to and fro on our railways in the west the most of the year, and at certain seasons, because of their numbers, it is almost impossible to get seats in the trains. Those salesmen take the best accommodation they can get in the pullman cars, and who pays for it? The farmers of the Northwest. We do not say those commercial men should not travel like gentlemen, but they are piling up expenses that come against the farmers throughout the whole country, and so the east is receiving advantages that cannot be regarded as paltry; yet we believe that the government cannot help us or alter our condition, as far as the tariff is concerned, in a foreign market which is really the market for the Northwest. Some pretty strong language has been used in the west of late, and they resent being dictated to by provinces in the east and controlled from a city like Winnipeg, declaring that the west will have its own policy, and that they know their own business better than any people in any part of the world, or of Canada. Owing to my views in reference to the markets that we have, I do not see that we can express any sympathy with this Bill (88) for a tariff commission. Our people are exceedingly sensitive along these lines, be their attitude just or otherwise, but there are a large number of features in this Bill looking in the direction of higher tariff. The members of the present government do not hide their policy; we all understand they believe in a high tariff, and, in their new circumstances, they would seek to play into the hands of those who had been their best friends. That is natural. Where we have found power we generally cultivate friendship in that quarter. I have been studying this Bill for several days, and the more I study it the less confidence I seem to have in it. Is it constitutional, to begin with? Is it just? Is it fair to the public generally? The policy of the greatest good to the greatest number is certainly the right one for any government or for any country. Well, in this case we have rule by commissions—not simply this tariff commission, but a whole galaxy of commissions, as if the government was intending to proceed to live by commission, and to prosper by commission. It reminds me of a certain gentleman in the northwest, very gentlemanly and well educated, whom I have met in discussions frequently, and when he was a member of the Northwest government he would listen to arguments of his supporters as to why a bridge or culvert should be constructed, or any other matter, and then he would say, 'well, gentlemen, I shall think of the matter more fully, and ask what Henry has to say about it.' Henry was his co-partner in business. Well, this government is looking in all directions away from themselves, and it reminds me of that remark—'we will see what Henry has to say about it.' That is to say, the commissions have to report to the government before the government makes up its mind as to what it will do. In the case of my friend, there was a lack of confidence in his own judgment, and it seems to me that the government in reference to this commission, have not had confidence in their own judgment, and do not wish to carry the responsibility of acting as the government of this country, but they want all the help they can possibly get. All the disappointed candidates will be available, and some of them will be appointed. The very one who had no confidence in his own judgment, and would not give a reply to those petty matters, has found $7,000 a year in one of those commissions. It seems to me these commissions are extremely expensive, and the people will ask, 'Why all this? Where is the talent, the judgment, the energy and the political shrewdness on business lines on the part of the government itself?' We had no such commissions like this in connection with the late Liberal government. When commissions were needed they were appointed, and we can say that they were chosen from both sides of the House. I do not remember any time that there was any lack of consideration of the party opposed, who are allowed to put their best men on any commission so that they would have fair play and the whole thing would be reported to the House. Then I am in doubt as to whether these commissions are to be secret. Apparently they are for the min-

isters, and not for the House of Commons or the public, as far as I can discover.

Hon. Mr. LOUGHEED—Yes, the report is to be placed on the table of the House of Commons.

Hon. Mr. DOUGLAS—That is after the opinion of the government has been reached.

Hon. Mr. LOUGHEED—No, no.

Hon. Mr. DOUGLAS—Yes, I think so. It is not stated that it should be given in every case. It may be given occasionally, as suits their purpose, but it is to be in the hands of the minister and guide his opinions and direct his action.

Hon. Mr. LOUGHEED—Look at section 6 of the Bill. It provides that the report and a copy of the evidence shall be placed on the table of parliament fifteen days after the opening of each session.

Hon. Mr. DOUGLAS—Yes, but all this work goes on.

Hon. Mr. DERBYSHIRE—After they have mussed it over.

Hon. Mr. DOUGLAS—It may or may not be, that is all. If we use the public money for this purpose, the public have a right to know what is done with it, and if they do not know, they cannot have the confidence in the government which it ought to possess in doing the country's work. That is another reason why I hesitate to support this Bill, then another objection is that the appointment is not made on the broad principle that underlies the Railway Commission, who are doing excellent work. There is no party feeling in the construction of the Railway Commission. They are gentlemen who are dealing with questions of business that come before them, and are disinterested parties.

It is only right that both parties should be represented in the formation of any commission of this kind. It is quite natural that the government should have one or two of its own sympathizers, but there should be at least one to represent the opposite party. I have nothing to say in reference to the working of the Bill, or the directions that are to be given, more than the general criticism that it is a very expensive system. We have about nineteen or twenty commissions now under appointment, or to be appointed shortly, and it is going to be very expensive. I hope, therefore, that there will be some very decided change in this Bill before it receives the support of the House.

Hon. Mr. WATSON—I listened with a great deal of regret to some statements made during the debate, notably by the hon. gentleman from North Wellington (Hon. Mr. McMullen) yesterday. I thought the time had gone by when we would hear of all that eastern Canada had done for the west. I thought that eastern Canada had realized that the expenditures in the west more than justified everything that had been done for the west. I am of the opinion that the credit and good name of Canada to-day is largely due to the fact that she does possess a west, and if it were not for the west the province from which the hon. gentleman from North Wellington comes would go out of business, so far as manufacturing is concerned at the present time. He told us a great many things the east had done for the west. He might have added a few more. They gave us two rebellions in the west, and very nearly furnished us with a third, and why? Because the east was doing exactly what the hon. gentleman says the west should not do. I refer to the time the government denied us the right to trade with the United States by refusing to allow us to build lines to the south, which almost precipitated a rebellion in that country. That feeling was brought to the attention of the government in Canada. The soldiers were called out, and the place for an engagement was fixed. The men were there, fortunately it did not occur. That place is still known as Fort Whyte in Manitoba, where they objected to a railway being built. The Canadian Pacific railway blockaded the fort by dumping off a locomotive at the crossing. Practically the same thing is going on to-day, and I think this is the proper time to discuss the matter, because it is in connection with the Bill to appoint a tariff commission, and we find the people of eastern Canada are blamed by the western people

for the condition which exists to-day. We are in as much need of a free market to the United States as we were of the railroads at the time I have alluded to, and the people are getting almost in the same frame of mind at the present time as they were in at that time, on account of eastern Canada not allowing them access to the United States market. The hon. gentleman from Wellington spoke of something he did not know anything about when he referred to the conditions of the frozen wheat in the west. I wish to inform him that there is practically no frozen wheat in the west this year. We had damp wheat which was good marketable wheat, provided it could be ground within reasonable season, and I have no hesitation in saying that, on account of the action of the east in refusing to give them the market to the south, the people of the Northwest have lost at least twenty millions of their crop. I have only to state that if that wheat could be got to the market and ground within a reasonable time, it would make just as good flour and almost as much as No. 1 hard wheat. The wheat would all have been ground, providing we had the free market we were offered by the late government, and the people to the south of us offered to take our wheat free. At present there is a duty of 25 cents a bushel on wheat. The mills of Minneapolis have a grinding capacity of two hundred million bushels per year. Their capacity is equal to the total consumption of bread stuffs in Great Britain, and the mills are situated within four hundred miles of Winnipeg. We have that market, and the feeling is growing very strong in the west that eastern Canada, Ontario particularly —I should say Ontario entirely—voted to prevent reciprocity being given to the people of the west.

I am not going to complain of the possible cost of this commission. If it costs ten times as much as the amount mentioned by the hon. gentleman who has just taken his seat, and the work is well done, then I say their services will be worth that much to the country. Some people say there is no difference between the parties in this country. There is a difference. They say this commission is going to take the tariff out of politics. It will not take it out of politics. The cleavage between the two great parties in Canada to-day is: whereas the Liberal party are inclined to lower the tariff, the Conservative party pronounce themselves as inclined to raise the tariff. We have only to look at the discussion that took place on this very Bill in the other House, when a gentleman, whom we thought was of cabinet calibre, Mr. Ames, of Montreal, in discussing this very Bill, said that there was no doubt at all that the commission that would be appointed must be men who were in sympathy with the policy of the Conservative party, which was a policy of protection. I want to say to the hon. gentlemen opposite, and the government of the country, that if the government, in appointing this commission, makes claims such as have been described by Mr. Ames,—who, I have no doubt, is very close to the cabinet—if a commission of this kind is appointed and they report such evidence, the commission is intended to get such evidence as will be a justification for the government to raise the tariff rather than lower it. The consumer and the farmer will not have an opportunity of being heard. It is not the most difficult thing in the world for a commission to get the kind of evidence they wish to get, and to bar the door to evidence they do not wish to get. There is no question about that part of the matter. It seems to me that any person who suggests that is not the case are simply talking nonsense. We know the result of these commissions. Some six or seven years ago a large delegation visited Ottawa, representing the manufacturers of Canada. They came here for the purpose of interviewing Mr. Fielding, the Minister of Finance. They asked that an increase should be made in the tariff on a number of articles, and they stated their reasons. Mr. Fielding said: 'Gentlemen, you seem to have, according to your point of view, very good reasons; now, reduce that to writing and give it to me in a typewritten document, and I will carefully consider these matters. If I can see that your conclusion and evidence are right, then we will carefully consider the matter and probably make some change in the tariff.' What was the reply? 'No, Mr. Fielding,

we cannot do that. We will give you that information in confidence, but we cannot give you that information to make public.' What was Mr. Fielding's reply? 'If you cannot give that information to make it public, you cannot give it to me at all, because I must have that evidence to justify me in making a statement to the House before I can change the tariff.' The great trouble is that these manufacturers cannot come together on these points, because one man's product is the other man's raw material; consequently, they could not make any statement to Mr. Fielding, that he could use in public, and no change was made. The hon. gentleman who leads this House states that clause 6 provides for the evidence being published. Not at all. It simply states the conditions laid down by these gentlemen to Mr. Fielding. Whenever the information is considered confidential, it shall not be made public. The only information these gentlemen would present to the government, if they are in favour of a high tariff, and the minister is in favour of a high tariff, would be such information as would justify them in raising the tariff, rather in lowering it. There is practically no publicity to be given to the information. I say the government should be very careful as to the men they appoint on this commission. I do not object to a commission. You may appoint a commission that will secure information to be given to the government that will enable them to make such changes in the tariff as would be in the best interests of the people of Canada. If they do that, then I say the money will be well spent. If the government undertake to appoint a commission to give such information as I anticipate, information that will be in favour of a high tariff, they will probably have trouble and something to confront that they are not anticipating. Some hon. gentleman said something about the west wanting to secede from Canada. There is no feeling of that kind in the west, but I want to tell this House that there is a feeling in the west that the great west will assert its right and power. The west is growing and will be more powerful in the near future. I am inclined to think that even to-day the manufacturers of Ontario, who no doubt subscribed very liberally for the purpose of the defeat of the late government and to put the hon. gentlemen on the treasury benches who now occupy them, have already found out that they made a mistake, because, there is a feeling growing in the west that the eastern manufacturer is the western farmers' enemy. I noticed in the press a short time ago that a resolution has actually been submitted to a large gathering of farmers in the west suggesting that they should pass a resolution to boycot the eastern manufacturers of agricultural implements. Surely that is not a good state of affairs, yet that feeling is in the minds of the people of the west, and you cannot blame them. The very men who are asking the farmers of the west to buy their products, put up the money for the purpose of preventing the farmers of the west from getting a market for the products of their farms. I venture to say that at least fifty per cent of the paper that becomes overdue and unpaid to the manufacturers of eastern Canada is largely due to the fact that the Northwest farmers cannot get the American market for their wheat. I do not wish to take up much of the time of the House, but I just wish to emphasize this fact: if the government are wise in their generation, they will see to it that there is some member on that commission in whom the farmers and the consumers have confidence, a member who will see that the proper evidence is procured to find information for the purpose of justifying the tariff. I venture to say that if they do not, a condition will exist in the west which will not be at all agreeable to the manufacturers of Ontario. Because you know that if a farmer finds his hen roost being robbed, he will try to kill the fox, and it is just possible that some of the farmers of the west may undertake to do that, even without waiting for any report of the commission. I offer these observations to this House because I know the feeling of the west. I am inclined to think and to suspect that the object of the government in appointing this commission is for the purpose of raising the tariff. I trust they will study the whole situation

and appoint seme member on that commission who will be acceptable to the great agriculturists of the Northwest.

Hon. Mr. MACDONALD (British Columbia)—Many hon. gentlemen who have spoken on this Bill have gone beyond its scope entirely. It is not a tariff Bill. It is not a grain Bill, nor is it a railway Bill. It is a Bill to appoint a commission to take evidence on tariff questions, and to take notice of the affairs of the country. Surely if a large majority of the electors of Canada put sufficient confidence in the present government to ask them to direct the affairs of this Dominion, we can trust them to appoint a commission of three gentlemen who will take evidence on the affairs of the country and report to parliament a certain number of days after parliament meets. I would not have spoken on this Bill at all but for the remarks of the hon. gentleman from West York (Hon. Mr. Campbell). He spoke with great contempt of the National Policy. No man who knew the condition of the country from 1873 to 1878 would speak in that way. The right hon. gentleman (Hon. Sir Richard Cartwright) and the hon. member from Ottawa (Hon. Sir Richard Scott) know perfectly the hopeless condition of the country at that time.

Rt. Hon. Sir RICHARD CARTWRIGHT —No, most emphatically no.

Hon. Mr. MACDONALD (British Columbia)—A very bad condition of affairs. There was no work for the people, thousands of men coming to the parliament buildings at every hour of the day demanding work, soup kitchens erected in different parts of the country to feed the hungry. There was nothing moving, and nothing doing. After the abrogation of the reciprocity treaty of 1854, things began to decline in Canada. Trade was very slack, very few people coming in and very little manufactured goods going out. Hon. gentlemen opposite may laugh, but they know perfectly well that they saw these hordes of people coming up asking for bread or work. I do not blame the Liberal government for that condition of affairs at that time. Things went on like that until 1878? The tariff was a low tariff of 15 per cent. I do not think the Liberal party raised it or lowered it. They kept it at what it was.

Rt. Hon. Sir RICHARD CARTWRIGHT —On the contrary, they raised it; that is a matter of fact.

Hon. Mr. MACDONALD (British Columbia)—Gentlemen who lived in the country at that time know as well as I do that when the Conservative party came back, and when the National Policy was inaugurated, the country jumped from despondency and from doing nothing to prosperity and confidence.

Rt. Hon. Sir RICHARD CARTWRIGHT —Nonsense.

Hon. Mr. MACDONALD (British Columbia)—Manufacturing establishments were opened. New factories were built and from that day to this the country has been prospering. Another great thing that gave an impetus to affairs in this country, was the building of the Canadian Pacific railway. Hon. gentlemen opposite opposed the building of that railway because they said it was beyond the financial power of the country. They said that if it were built it would not be successful. They said that the province of British Columbia was useless and wanted to let it go. That was the sentiment of the Liberal party at that time. I confess that the building of the Canadian Pacific railway was a great undertaking. So great was it that a delegation came from British Columbia to arrange terms with the government, and they never dreamt of a railway. All they asked was a wagon road. I would not be surprised at any government at that stage of our development being afraid of an undertaking of such magnitude. It was the financial bogey of all governments, but when the Conservative party resumed office they grappled with the project. They formed a company and the road was built. Who will say it has not been a great link to bind the provinces together and a great factor in the prosperity of the country. They have opened up a wonderful route from China and Japan to Great Britain via Canada. The Canadian Pacific railway brought wealth to the country, mil-

lions of acres were opened up and millions of bushels of wheat have been grown and cattle have been shipped out of the country from these prairie lands. I do not wish to be unjust to any government, but the hon. gentleman cannot controvert what I am saying that the building of the railway and the inauguration of the National Policy made the country, and that tariff that was put in force by the Conservative party laid the foundation for the Liberal party to build on. They raised it a little here and lowered it there, but the foundation of the whole system of the country was the National Policy. I am sure the present government would be very careful before they touched a line or put a finger on that tariff. They are now doing what is in the best interest of the country, appointing a commission, and it will be time enough to discuss the tariff when we see what the commission will do after it is appointed.

Hon. Mr. BELL—I would like to say a few words before a vote is taken on this motion. It is with some difficulty that one attempts to make a speech on the subject, because the speeches heretofore made have not really dealt very closely with the matter under discussion. I do not know that there is any great advantage to a deliberative body, when it has a question before it for consideration, to wander so widely as we have wandered in discussing this Bill. I should resist very strongly the temptation to follow the various speakers through their wide wanderings, because in order to do that it would require a very lengthy speech and one which I do not think would be of any great profit to this House. So far as I have succeeded in taking note of what was said during the discussion, it has very largely dealt with old issues. Very extravagant statements have been made, which have been very familiar to me on the stump on a great many occasions. I did not expect to hear them made in the Senate of Canada in 1912. It seems to me that the objections which have been urged against this tariff commission are not very serious, and some of them, I think, could not really have been intended seriously. The remarks made by some of the hon. gentlemen who represent the Northwest portion of Canada, which is a great and important portion of the country, have consisted practically of nothing but threats as to what the capitalists and the manufacturers of eastern Canada may expect whenever the west is strong enough to deal with them I am absolutely certain these gentlemen are not representing the west in the House, and are not expressing the opinions of the west. I am satisfied the people of eastern Canada, who have gone to the west and built their homes there, are grossly misrepresented in the statements made in this House.

Hon. Mr. DOUGLAS—Within the last week a resolution was passed in the legislature in Regina without a dissenting voice on the Highways Bill, and the leader of the Conservative party did not even offer an objection to it. Conservatives and Liberals unanimously condemned it.

Hon. Mr. BELL—Resolutions and petitions can be easily secured, but I am satisfied that time will vindicate the correctness of what I am saying that these statements which, if true, are alarming, and these threatening statements made as to the attitude of the west towards the east will, in the course of time be found to be without foundation. The people of the west are largely people who came from the east, and they could not have left all their common sense in the east. I have no doubt the people of the west will be found to be good Canadians, wise and intelligent enough in their political knowledge to know that no one part of any country can absolutely insist upon having its own way if that country is to be great and prosperous. We are going to be a great country just so far as we can suppress excessive manifestation of provincialism or localism, and rise to nationalism. I do not wonder, after listening to the speeches that have been made to-day, that there are hasty, inconsiderate and dangerous statements made in the west to-day in some places. Why should there not be? Those gentlemen who have spoken here are assumed to be the leaders and teachers of the people.

Hon. Mr. DOUGLAS—I deny it in toto.

Hon. Mr. BELL—And if the statements made in this House furnish anything like a correct example of those that are made to these people at home, then may we not expect that certain hasty, hot-headed people might, under excitement, express themselves improperly in regard to their fellow-citizens in other parts of Canada. But I do not feel alarmed about the attitude of the west. I am satisfied when the time comes the west will prove itself to be, not only a strong, but a wise part of Canada.

Hon. Mr. WATSON—Hear, hear; no doubt of it.

Hon. Mr. BELL—And therefore, I think that these sagacious and kindly warnings extended to the government of this country by the hon. gentleman who spoke a while ago, repeated over and over again, warning the government to be careful in the matter, to keep in mind all the time the people of the west, were entirely unnecessary.

Hon. Mr. WATSON—Experiment and you will find out.

Hon. Mr. BELL—We will experiment, and we will find out. I have not the slightest apprehension of any danger in that direction. This is a simple measure before the House. It provides for the establishment of a certain piece of departmental machinery for one department. It is simply the use of a commission which can move about the country, comfortably and at leisure.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. BELL—And investigate comfortably, and at leisure——

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. BELL—As to the conditions with regard to which it is necessary the government and parliament should be well versed to come to a satisfactory decision upon all the questions involved in this matter. But hon. gentlemen opposite are departing from the sound principles of argument and parliamentary procedure, when they violate the rules of parliamentary discussion in their statements. What is the whole discussion, but a mass of unjustified and absurd suggestions as to what the government are going to do, or what the government think, or what these gentlemen complain of. We know that it is utterly improper and useless, and in fact a feature which is always prevented in any legislative assembly, that we should impute motives. It is contrary to the rules of any parliament or any court, and contrary to the principle of serious discussion that motive should be imputed. What do these valuable speeches consist of? Imputation of motives, and if I were within parliamentary bounds, I would say absurd imputation of motives in regard to the attitude of the government. The United States have had a tariff commission in operation for years, engaged successfully in acquiring an enormous mass of information which has been utilized by the government of that country in preparing its tariff. Has it ever hurt anybody? Has it not been of great service? Were we not exceedingly glad, during the recent reciprocity discussion in this country, to get possession, as far as we could, of the result of our neighbour's investigation, and through them to acquire information which would guide us in coming to a decision on the question? A tariff commission is simply a body which can acquire conveniently and effectively the information which is impossible for a department to obtain in any other way.

Hon. Mr. WATSON—Does the hon gentleman agree with Mr. Ames, that this commission should be in favour of high protection, as the present government are favourable to high protection?

Hon. Mr. BELL—No, because I believe it is simply a piece of departmental machinery to collect information.

Hon. Mr. WATSON—That is a statement with which we do not agree.

Hon. Mr. BELL—The hon. gentleman does not accept Mr. Ames as an apostle.

Hon. Mr. WATSON—I take him as the apostle of the Conservative party all right.

Hon. Mr. BELL—No man controls the Conservative party. The Conservative party controls itself, and Canada as well.

Hon. Mr. WATSON—I take exception to that. I think the manufacturers control the Conservative party.

Hon. Mr. BELL—The hon. member may take all the exceptions he likes. I tell the Senate that no man controls the Conservative party, and I ought to know the Conservative party as well as the hon. gentleman, who owes his seat to the fact of his having been an active member of the Reform party for a long time. The Conservative party thinks for itself.

Rt. Hon. Sir RICHARD CARTWRIGHT —If so, it is the first time it ever did.

Hon. Mr. BELL—And it represents a matured opinion upon this question—the feeling of the great majority of the people of Canada.

Hon. Mr. WATSON—No.

Hon. Mr. BELL—And that is the most important point. Why should we object to the installation of this piece of machinery to collect information? My hon. friend who has just interrupted me is very anxious that we should keep control over the government. He is very anxious we should dictate to the government and impress upon them the line they should follow out in this matter. All his remarks indicate that, and here the government has put into his hands, and into our hands, a piece of machinery that will enable us to keep control of them, and he will not have it, on account of his unjust suspicions of what the conduct of the government may be. This commission will gather information which will be placed at the disposal, not only of the government, but at our disposal, and we will have ample knowledge in sitting in judgment on the acts of the government. We will be in as good position as the Minister of Justice or the Minister of Finance himself, because we will have the very same information available to us. A point has been raised in connection with the question of confidential information. There must always be certain confidential information. You must always be in confidence when you go to a manufacturer and ask him to unfold to you the secret and mystery of his business matters which he brought, perhaps, to perfection by his sole labour; matters upon which his success over his competitors depends. If the commission goes to that man for his secrets, it must be in confidence. That is not new; it has been our rule always. In taking the census of the successive periods, confidential information has been given, and that confidence for the most part, has been respected; so that there is nothing new in the feature of confidential information, but in so far as it is not confidential, this commission is intended to protect us, the legislators of Canada, against any wrong the government might propose to do. A great deal has been said about what a bad lot and what dangerous people the manufacturers are. It is said that they are a curse to the people. I am carried back to the year '96, when my political opponents used to go about the country denouncing the combinester and the manufacturer and the capitalist. We have had these gentlemen who denounce these companies and institutions in power for fifteen years, and what have they done with them? What have they done with the combinesters? They have nurtered, fostered and developed them. What have they done with the capitalists? Thank Heaven, they have not hurt them, for those who know anything about the way in which business is conducted, know that no business can grow to proportions without capital; but my right hon. friend who sits opposite, and who occasionally used to have a harsh word for the manufacturer, knows that never to such an extent have combines, mergers and combinations of capital, and combinations of manufacturers, existed in this country as under his own government which recently went out of office. So that any one listening to this discussion will at once see that it is a futile effort to find fault with the process which the government is putting into operation to perfect its machinery on the tariff question. Hon. gentlemen have talked a great deal about the attitude of this incoming government, and have jumped to

the foregone conclusion that it is bound to raise the tariff.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. BELL—The hon. gentleman says hear, hear. He believes that?

Hon. Mr. WATSON—I do.

Hon. Mr. BELL—Why?

Hon. Mr. WATSON—Because I think the high protectionist and the manufacturer are the people who put them there, and the government are their servants.

Hon. Mr. BELL—The hon. gentleman has been in public life a long time without learning very much. The people who put the Conservatives in power in 1878, were not the manufacturers or high protectionists, but the consumers, and it was the consumers who turned the late government out of office and put the present government in power, and also turned down reciprocity. It was not the manufacturers.

Hon. Mr. WATSON—I do not think so.

Hon. Mr. BELL—The hon. gentleman in his heart does not believe that it was not the consumers. It is the people of Canada, and not the manufacturers. They do not control the Conservative party. We have had protection since 1878, but it was not introduced by the manufacturers or the capitalists. It was brought about by the consumers, the common people of Canada. They have always controlled the elections in this country since I have had anything to do with public affairs, and they control them to-day, and so long as they know it is in their interest that Canada should grow and develop its resources, just so long will the consumers of Canada maintain in force and effect in this country that protective system under which we have gone on to a marvellous development since 1878. It is rather amusing to listen to these gentlemen talking free trade. They are precious free traders. They were in office for fifteen years. Did they give us a revenue tariff in that time? Have we ever seen a tariff for revenue put on the statute-book by that free trade party? These gentlemen make statements about their hopes, beliefs and intentions—the whole thing is laughable—neither more or less. All you have to do is to take the returns of the country and see the average duty collected on all classes of importations, and you will see that the change made in the tariff of Canada since the first protective tariff in 1878 has been comparatively trifling. The tariff imposed on the country by the so-called free trade party does not differ more than two per cent from the high protective tariff of the Conservative party, which has been described as the friend of the dangerous manufacturer. These facts are open to anyone who desires to look at them. We have in this country to-day a protective tariff, and I am thankful to the right hon. gentleman and his associates in the government that we have it. Great wisdom was shown in the fact that they stood by the old National Policy—I have no objection to them calling it what they like—we have the substantial fact that they stood by the sound policy that was left them in 1896 by the Conservative party, when they assumed office. Canada has never departed from that policy, and while I should be very sorry to undertake to prophesy, and would not venture to say we never will, I will say that during all the years I have taken part in political fights in this country, beginning in 1878 and continuing until this moment, I believe that to this day the sound common sense of the people of Canada is wedded to a policy which will maintain that system of protection, develop the manufactures and enable our industries to grow in all directions, and not leave our people merely a body of farmers, or fishermen, but that they will have great manufactures in their midst and great wealth. I would not want to live in a poor country. I prefer rich neighbours—by all means. We have in this country every opportunity to acquire wealth, and opportunity is open to every man in the country. What better condition of affairs can anyone desire than that? To my mind, if there is any body of men in the whole country who would not favour this tariff commission, very possibly it would be the manufacturers. They might object to the appointment of this tariff commission. They are the men who will be routed out of their snug

corner, if it can be shown that they are enjoying excessive profits. The consumer is a man who is interested in the activity and success of the tariff commission, as no one else, and I am going to say that as far as I am concerned, I am prepared to do everything in my power to see that the consumer shall have every advantage he can get, and I believe the whole Conservative party occupies the same position. It has been said in the course of the discussion, that the Conservative party were year after year raising the tariff higher and higher. That is not in accordance with the tact. It is absolutely different from the fact. The Conservative administration up to 1896 showed its weakness, if it showed it at all, in doing away with its measure of protection, and in some cases bringing it to that point where it ceased to be effective. That is where they made the mistake if they made any.

Hon. Sir MACKENZIE BOWELL—And they did make it.

Hon. Mr. BELL—Yes, and no government will continue for any length of time to favour any body of manufacturers or capitalists or special interest in acquiring wealth out of the people of Canada. Why should we continue the discussion any further? It suits hon. gentlemen opposite to call themselves free traders. Then let them do it. They are not free traders to such an extent as to hurt anybody, or to have any great effect on the policy of the country or the tariff. The right hon. gentleman going out of office leaves on his tariff duties equivalent to 100 per cent; is that the work of a free trader? The fact of the matter is that in this country, if we are wise, we will learn to develop a national spirit, to get clear of localism, and provincialism, and to avoid, as if it were a plague, any utterance of ours that will give any section of the people of Canada an impression that they are oppressed, or likely to be oppressed, that they are not as men and freemen standing up, with the ballot in their hands in a position to defend themselves against any and every enemy in this country, and guaranteed and certain of fair play and decent and honest treatment from any government whatever in this country, whether Liberal or Conservative. Let us not talk this absurd and dangerous class distinction, in this House at least; let us reserve that for the side line and the stump. It is bad enough there, but certainly out of all place here. Here is a country where, if any place in the world, man is at his highest development; where he is as nearly equal, as absolutely free, as powerful in citizenship, as anywhere in the world at any time; and to talk to any portion of these people, telling them they are injured, or oppressed, or badly treated, or enslaved, is criminal. It is not true, and the utterance of such statements in this House is dangerous and criminal, and unworthy of the Senate. We want to join together to bring our blessed and beloved country, Canada, to the front as far as possible. We have every opportunity to do it. We have a birthright and heritage such as no other people in the world have. We have now fairly entered upon a degree of development and growth which is bound in a short time to lead us to the hegemony of the great British peoples of the world, if we are true to ourselves, and have nothing of those wretched squabbles of twenty years ago or the wretched insinuations of to-day. Let us give up imputing motives to one another, or to governments, or oppositions, and let us stand for the growth of our country and honest and effective administration of its affairs. Let us have enough confidence in the government to trust it to inquire into the cost of production of products and into the cost of freights and of raw materials. For Heaven's sake, if we are going to entrust every interest that we have in the world to that government—lives and property, citizenship and everything else—let us not hesitate at the last moment to allow them to appoint three tariff commissioners.

Hon. Mr. DANDURAND—I would like to say a few words in answer to the hon. gentleman from Pictou, who seems to question the sincerity of the Liberal party in its declarations as set forth in the platform of 1893. He has lived long enough through the political contests carried on in this country for twenty-five years, to know that, neither before 1893 nor after, was there

a party in Canada which enunciated a policy of free trade. We laid down in 1893, as we did before, the policy of a revenue tariff and a reduction of taxation. This was inscribed as one of the first planks of the platform of 1893; and in justification of our sincerity in carrying out that policy, I would draw the attention of the hon. gentleman to the fact that the first year that the Laurier government came into power it tried, by sending a delegation to Washington, to comply at the same time with another plank of the platform by obtaining reciprocal advantages with the United States and diminishing the duties on a number of articles, if such a bargain could have been entered into.

He knows that that delegation, like the one which followed the elections of 1891, was turned down, and that the United States were not ready then to discuss reciprocity with Canada; but he should not forget that, in order to implement the promises contained in the platform of 1893, the Liberal party, finding that it could not obtain a reduction of taxation on its exports to the United States and get the advantage of freer imports from that place, turned to the country from which we had nothing to expect because it was a free trade country, and reduced its duties on British goods by thirty three and a third per cent.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. DANDURAND—This reduction represented far more than the reduction on the goods themselves that came from Great Britain. It helped to reduce the cost of the imports from other countries that had to compete with those British goods which came in under the preferential tariff; I believe that my hon. friend will find, when he goes into the statistics, that it is not merely a difference of two per cent between the tariff preceding 1896, and the tariff of the late government that will be found existing in favour of the Liberal policy, but that, if it is true that we generally increased the tariff by perhaps two and a half per cent we reduced it by thirty-three and a third per cent under the preference, and that on the whole the reduction to the tariff, looking at the customs returns, would show that there was a difference of some thirty per cent on British goods imported in 1900, compared with the same class of goods imported prior to 1896. So that I believe the Liberal party honestly stood by its declarations and its programme of 1893. Of course it could be said that, without regard for the United States refusal, we could have lowered the duties on American goods. We thought —and in that I think we carried the country with us—that that was not the proper thing to do—to give any advantages to our neighbour to the south who was taking such an uncompromising stand. Events justified the policy followed by the Liberal party during those fifteen years, because what did we see in 1911? The United States receding from its position of exclusiveness, and coming to Ottawa and asking for a reduction of the duties. Now my hon. friend questions the sincerity of the Liberal party in connection with its fiscal policy. I would ask him what was the policy of the Conservative party headed by its greatest chieftain, Sir John A. Macdonald, when he dissolved the House in 1891 for the purpose of consulting the people of Canada upon a proposition purporting to come from Mr. Blaine through the British ambassador for a discussion of reciprocity limited to natural products? We all know why we went to the people in 1891. Very likely my hon. friend from Pictou was a candidate then. The Liberal party offered the people of Canada unrestricted reciprocity. Why? Because it felt that it could not at that time get limited reciprocity, or reciprocity limited to natural products if it did not offer something more than natural products to the United States. We proclaimed to this country that what the farmer wanted—reciprocity in natural products—could not be obtained if we did not go one step further, and the great Conservative party said, through the mouth of its leader, 'No, we will not affect the industries of the country; we will not go into reciprocal relations or discussions with the United States for industrial products; but we will go into a discussion for reciprocity in natural products.' So that in 1891—just twenty years before 1911—we had this spectacle of the whole of Canada voting for re-

ciprocity in natural products, because the Liberal party in opposition went further. The greater contained the less, and the whole Conservative party, with every elector who voted for my hon. friend from Pictou, voted for reciprocity in natural products. And yet when, twenty years afterwards, the United States declared that they were ready to enter into an understanding to allow a free exchange of natural products, we found that very same party, which had dissolved the House, and asked the people of Canada to favour such a bargain, and which had met with such a unanimous response twenty years before, rising up in its might and saying, 'This is disloyal to Great Britain.' Well, they succeeded in tricking the people. They succeeded in stampeding a majority of the people against the very policy that they had themselves laid down in 1891, and which had triumphed at the poll in March 1891. Now they are surprised because the Northwest, which produces natural products, and needs markets for those products, is dissatisfied because it is denied access to the American market. My hon. friend from Pictou should have known, and the Conservatives should have known, that the Northwest would be dissatisfied to be hampered by tariffs in purchasing and hampered by tariffs in selling when there was an offer from the United States for a free exchange of natural products. This is the situation to-day. My hon. friend says that this commission will candidly and honestly gather information for the present government.

Hon. Mr. LOUGHEED—And for parliament.

Hon. Mr. DANDURAND—And for parliament, but primarily for the government, which will have the responsibility of introducing any changes that have to be made, or that may be deemed proper by the present government. I am not surprised that the present government would need to be enlightened on the question of the duty. For fifteen years, or thereabouts, the present leader of the government has been preaching a very vague doctrine on fiscal questions. It was to be adequate protection; this is the panacea which he propounded and which he offered to the people.

Hon. Mr. BELL—What more would the hon. gentleman want than what was adequate?

Hon. Mr. DANDURAND—We very often asked the right hon. leader of the government, when he was in opposition, what he meant by adequate—whether he would write the tariff downwards or write it upwards?

Hon. Sir MACKENZIE BOWELL—Or both.

Hon. Mr. DANDURAND—He simply stuck to this very vague expression, adequate protection. I observe that some hon. gentleman has been accused of remaining for a certain number of days or months within the lines of Torres Vedras. Those were the Torres Vedras of the fiscal policy of the right hon. the leader of the government, because we never knew exactly what was his position on the fiscal policy. It was a policy that would appeal to the east and to the west, because with the word 'adequate' he could go upwards or could go downwards.

Sir MACKENZIE BOWELL—Certainly.

Hon. Mr. DANDURAND—Verily I believe that the hon. the leader of the government and his colleagues—for probably I should not limit the remark to himself—do not know exactly what would be best for the country, but when my hon. friend says whatever may be the doings or the reports of that commission, that it may be detrimental to the manufacturers, I would challenge his statement that the manufacturers have not asked for a tariff commission, because he will find that in practically every annual meeting which those gentlemen have held during the last fifteen years they have constantly demanded a tariff commission. I will not surmise what will be the report of that commission, nor the work of the present government. Of course, that voice from the west may still be heard. It was heard loud enough, during the last parliament, for a couple of members sitting for Manitoba, when they heard their leader speaking on adequate protection backed by their friends the manufacturers, rose in their places in the House and moved for the reduction of duties on agricultural

implements. This was filibustering work which would well suit the opposition. It will be now for the government to unite on one policy, and we will judge them when that policy comes down.

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

SECOND READINGS.

Bill (V 2) An Act for the relief of Isabella Helen Horncastle.—Hon. Mr. Roche.

Bill (W 2) An Act to incorporate Capital Trust Corporation, Limited.—Hon. Mr. McSweeney.

Bill (118) An Act to create the Biological Board of Canada.—Hon. Mr. Lougheed.

IMPROVEMENT OF HIGHWAYS.

ORDER POSTPONED.

The order of the day being called:

Second reading (Bill 77) An Act to encourage and assist the improvement of highways.—Hon. Mr. Lougheed.

Rt. Hon. Sir RICHARD CARTWRIGHT inquired of the leader of the government if the information touching taxation was ready.

Hon. Mr. LOUGHEED—I have the information for which my right hon. friend has asked from some of the provinces, but from some others I have not. I would suggest that the matter stand till to-morrow.

The order was postponed.

BILLS INTRODUCED.

Bill (A 3) An Act to incorporate the Canadian Central and Labrador Railway Company.—Hon. Mr. Derbyshire.

Bill (B 3) An Act respecting the St. Clair and Erie Ship Canal Company.—Hon. Mr. Gibson.

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

THE SENATE.

THURSDAY, March 14, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

Hon. Mr. DANDURAND.

LOCAL AND MUNICIPAL TAXES.

INQUIRY.

Rt. Hon. Sir RICHARD CARTWRIGHT inquired:

What are the amounts of the local and municipal taxes levied in the several provinces during the year 1911, or to such other dates as they can procure?

Hon. Mr. LOUGHEED—I have secured, as far as possible, the information which my right hon. friend desires. It may not be sufficient, but it is all that the government can secure at the present time. I shall send it over.

Rt. Hon. Sir RICHARD CARTWRIGHT—What provinces do they cover?

Hon. Mr. LOUGHEED—Ontario reports that statistics for 1911 will not be obtainable for six months, and forwards a copy of the report of the Bureau of Statistics for 1909, and municipal bulletin No. 5, for 1911. Quebec reports that it is impossible to answer the question. Nova Scotia regrets that the information desired for 1910 is not yet available and will not be for about a month. We have a statement of the statistics of incorporated towns and municipalities of Nova Scotia for 1910. New Brunswick reports that information for 1911 is not available, but sends statement for 1909. Prince Edward Island reports 'taxes levied in this province for 1911 are, towns, municipal, $68,882; provincial government, $84,668; revenue for schools, $36,-648.' Manitoba telegraphs, 'taxes levied in municipalities for 1911 were $7,267,530.'

Rt. Hon. Sir RICHARD CARTWRIGHT—That includes, of course, cities?

Hon. Mr. LOUGHEED—I would assume so, using the term municipalities to cover urban municipalities. Then Saskatchewan reports, 'impossible to supply figures for some weeks.' Alberta telegraphs, 'returns for 1911 incomplete, but am advised that fairly accurate statement will be available by 25th. This would include local, municipal and school taxes.' British Columbia: 'the amount of provincial taxes is not available to 1911, but figures for 1910 are being mailed.' These have not had time to arrive. My right hon. friend might look over the information that has been sup-

plied, and I think it may be said this is all that we may hope to obtain.

Rt. Hon. Sir RICHARD CARTWRIGHT—What does my hon. friend propose to do? Does he wish to proceed with his Bill this afternoon?

Hon. Mr. LOUGHEED—I propose proceeding with the second reading this afternoon, and having it come before the committee as early as possible.

Rt. Hon. Sir RICHARD CARTWRIGHT—Very good.

CANADIAN CENTRAL AND LABRADOR RAILWAY COMPANY'S BILL.

Hon. Mr. DERBYSHIRE—In reference to the Bill concerning the Canadian Central and Labrador Railway Company, which was deferred till Friday, I should like very much, on account of the lateness of the session, to have it read a second time to-day, and move to have it discharged and placed on the order paper for to-day, and I also would move the necessary suspension of the rules to permit of that.

The SPEAKER—The demand of my hon. friend is quite impossible. The item has been put on the order paper for a certain date, and it cannot be removed, because there are private parties who might suffer by it who are not in this House.

FIRST AND SECOND READINGS.

Bill (C 3) An Act respecting the Mexico Northwestern Transportation Company, Limited, and to change its name to Mexico Northwestern Pacific Railway Company.—Hon. Mr. Watson.

Bill (D 3) An Act respecting the Alabama Traction Light and Power Company, Limited.—Hon. Mr. Dandurand.

THIRD READINGS.

Bill (A 2) An Act respecting the Ottawa, Brockville and St. Lawrence Railway Company.—Hon. Mr. Young.

Bill (M 2) An Act respecting the Saskatchewan Central Railway Company.—Hon. Mr. Young.

Bill (30) An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.—Hon. Mr. Casgrain.

Bill (V 2) An Act for the relief of Isabella Helen Horncastle.—Hon. Mr. Roche.

BETTER TERMS TO BRITISH COLUMBIA.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

How soon does the government intend to appoint the commission to investigate the merits of the claim for better terms to the province of British Columbia, which was promised by the Rt. Hon. R. L. Borden, in his telegram to the Premier of British Columbia, dated the 25th January, 1912?

Hon. Mr. LOUGHEED—The intention of the government with regard to this commission will be announced in due course. It will be difficult to give much consideration to it until after the close of the present session.

IMMIGRATION INTO CANADA.

INQUIRY.

Hon. Mr. DAVIS inquired:

1. What is the total number of immigrants who came into Canada for the calendar years 1906 to 1911, both inclusive?
2. What is the estimated value in cash and effects brought into Canada by said immigrants in each of the said calendar years?
3. What number of those immigrants settled in Manitoba, Saskatchewan and Alberta in the said years, and what amount in cash and effects did they bring with them into said provinces?

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

1. 1906, 215,912; 1907, 277,373; 1908, 148,700; 1909, 184,281; 1910, 303,091; 1911, 350,374.

2. No estimate of the value of cash and effects has been made except in the case of settlers from the United States. This estimate shows the value to have been, in 1906, $51,599,638; 1907, $50,167,995; 1908, $65,806,848; 1909, $73,797,756; 1910, $132,202,722; 1911, $201,784,446.

3.	Manitoba.	Saskatchewan.	Alberta.
1906	38,382	31,774	30,315
1907	44,025	31,409	31,023
1908	20,180	22,082	26,673
1909	19,415	25,049	37,919
1910	32,669	40,970	47,403
1911	43,600	44,082	45,071

SETTLERS FROM THE UNITED STATES IN WESTERN CANADA.

Hon. Mr. DOUGLAS—Before the Orders of the Day are called I wish to direct the

attention of the House to a short article that appeared in to-day's 'Citizen' which is very important and should not be allowed to pass without notice. It purports to be a report of remarks made by a member of the House of Commons in the city of Montreal and reads as follows:

BENNETT'S SPEECH.

Remarks in Montreal cause Sensation in Calgary.

Calgary, Alta., Mar. 13.—That the speech made by R. B. Bennett, in Montreal, on Monday, in the course of which he stated that Americans were a menace to western Canada, and that while they might become good Canadians they had inherited a hatred for England and could not become good Britishers, has created a sensation in business, political and professional circles, is putting the situation mildly. Violent protests are general among both Canadians and Americans.

I call the attention of the hon. leader of the House to this matter, because it has excited a great amount of feeling in the west, and because it is from his own town, Calgary. Something should be said in this House on the question. Such a statement is mischievous, to say the least of it. The hon. gentleman who is alleged to have made this speech is a member of the House of Commons and is responsible to the government for any language of this kind that he uses, and for any public declarations that he makes. I am sure that our experience of our American friends who have settled in our Northwest has been the very opposite of what is stated here. We have had no difficulty with them whatever. They are cultivating immense areas of land, and are becoming the best of citizens. The statement which I have read is perfectly new to me, and I am sure the leader of this House will corroborate me when I say that it is entirely incorrect. I leave it to the House to say whether any notice should be taken of this article.

Hon. Mr. LOUGHEED—I am sorry that my hon. friend did not direct my attention to this matter before the House met. I should have been very pleased to have said to him then, as I am bound to say to the House now, that I am informed on Mr. Bennett's behalf that the statement he has read is a pure fabrication, purely a fiction of sensational journalism. It is a phantasy in the mind of some enterprising newspaper man who wanted to make so much copy. I quite agree with what my hon. friend has said as to the valuable acquisition to that western country of the American settles who have made the Northwest their adopted home.

Some hon. MEMBERS—Hear, hear.

Hon. Mr. LOUGHEED—The advent of the American settler in the Northwest has resulted in the rapid development of that country. He is appreciated for his enterprise, his energy, and his loyalty to Canadian institutions.

Some hon. MEMBERS—Hear, hear.

Hon. Mr. LOUGHEED—And I will furthermore say that the American settler in the Northwest has no greater admirer and no stronger personal friend than Mr. Bennett, who is alleged to have made these statements. His political character has been simply traduced, possibly for a purpose which whoever wrote that article had in view. I desire to deny absolutely, on Mr. Bennett's behalf, his entertaining the alleged sentiment which he is said to have expressed, and to assure this House and the American settlers in the west that no one appreciates the valuable acquisition to Canada of these people to a greater extent than Mr. Bennett.

Hon. Mr. CASGRAIN—The leader of the government has evidently not read the report of the speech made by Mr. Bennett before the Canadian Club in Montreal last month. The whole of Mr. Bennett's speech was to this effect, that in Mr. Bennett's opinion it was exceedingly dangerous to have a very large number of such settlers. He even went so far as to say that some sections of Alberta were occupied by 74 per cent of American settlers, and that these people were creating a sentiment of separation. I would advise the leader of this House to read the report of Mr. Bennett's speech before the Canadian Club at Montreal. If he does so, he will find that anything the papers say about it is perfectly justified. For years and years I have thought, and I have said to members of the late government that it would be well to mix up these American settlers with British and other settlers, and not to have them

all congregated in a certain locality which would be practically a part of the United States. I have repeatedly made that suggestion to the members of the late government, but unfortunately in that, like many other things, my advice was not followed. We sometimes raise a French flag in Quebec. I am told that on the last 4th of July some Americans hoisted the United States flag. It is said that it took some people with cool heads to prevent some ultra-loyalists from tearing down that flag. Then we would have had an insult to the flag and complications. You must remember that any excuse is good enough when you want to get into trouble.

Hon. Mr. LOUGHEED—I may say, in answer to what my hon. friend has stated, that Mr. Bennett can scarcely be held responsible for what may appear in the newspapers. I have been told by those who heard the speech alluded to, that no such reference, and no such reflections were made on the American settlers in the west. Of course, it is utterly impossible to prevent misrepresentations being made, by sensational people attempting to produce mischievous results among new settlers. Having lived in the Northwest for a great many years, and coming very closely in contact with the community of American settlers, I may say that there is no such feeling entertained in the west as that those settlers are a menace to our institutions.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. LOUGHEED—I may further say this, that no class of settler has more rapidly identified himself with the institutions of Canada or so quickly and readily assimilated himself, with great advantage to Canada, as the American settler.

Hon. Mr. CLORAN—In view of the condition of things as outlined by the hon. leader of the House I want to ask him this question——

Hon. Mr. ELLIS—Order.

The SPEAKER—The point of order is taken that there is nothing before the Chair.

Hon. Mr. CLORAN—I am asking a question; I am not going to discuss anything. If a question is not in order, then I would like to know. It is a civil question, and who raised the point of order?

Hon. Mr. LOUGHEED—I would ask the House to permit the hon. gentleman to ask me the question.

Hon. Mr. CLORAN—No, I do not want the House to permit me. I want the right, if it exists and if it does not exist I will see later. I want to know if a man cannot ask the leader a question. Who raised the point of order?

Hon. Mr. ELLIS—I raised the point of order, because I did not think discussion should proceed upon that question.

Hon. Mr. CLORAN—You should not express your thought until you know what has been done. I am going to ask the leader of the House whether, in view of what has been said by himself and the other speakers, it would not be advisable to take measures to amend the libel section of the Criminal Code and make it a criminal act for a newspaper to print and publish, and for a newspaper man to write mischevious statements of that kind.

The SPEAKER—I suppose the hon. member will not press his question, because the hon. leader has a right to have two days' notice.

Hon. Mr. CLORAN—The need is urgent.

BILLS INTRODUCED.

Bill (68) An Act respecting Queens College at Kingston, and to change its name to Queens University at Kingston.

Bill (69) An Act to incorporate Queens Theological College.

Bill (115) An Act to provide for the extension of the boundaries of the province of Manitoba.—Hon. Mr. Lougheed.

Bill (32) An Act respecting Grain.—Hon. Mr. Lougheed.

A QUESTION OF PRIVILEGE.

Hon. Mr. DAVIS—I wish to draw the attention of the House to a matter affecting one of the committees. On November 29 last it was moved that Bill (B) originating in the Senate be referred to the Committee on Railways, Telegraphs and Harbours, and that motion was carried. Up to the

present time the committee has not reported on that Bill. Rule 125 says:

> The committee to which a private Bill has been referred shall report the same to the Senate in every case; and when any material alteration has been made in the preamble of the Bill, such alteration and the reasons for the same are to be stated in the report.

This is a public Bill, but I contend that when it was submitted to the Committee on Railways it occupied the same position as a private Bill. The chairman of the committee to-day asks for a suspension of the rules to facilitate the passage of certain Senate Bills through this House more rapidly than they would otherwise ordinarily proceed. I should like to ask the chairman of the Railway Committee, or any other member of the committee, or of this House, why any of these Bills should have preference over a public Bill, which had priority on the order paper. I claim that that Bill, being first on the order paper, had precedence over the others, and I do not see why it was thrown aside for the purpose of allowing private Bills, which were not as important, to be railroaded through the House. I should like to know what is going to be done about it. I believe it is the duty of the committee to report on that Bill and to deal with it in some way.

Hon. Mr. YOUNG—I have not looked up the dates of reference to which my hon. friend refers, in relation to this Bill, but no doubt it was referred a very long time ago to the Railway Committee, and shortly after its reference, when the measure was reached, it was referred to a sub-committee of the Committee on Railways at the suggestion of the hon. gentleman who has just spoken, to consider the provisions of the Bill, and my hon. friend was elected chairman of that committee. Strange to say, only to-day has that sub-committee's report come before the parent committee. If there is any complaint of delay, surely it does not lie altogether against the parent committee, because, during all this long interval, the sub-committee, of which my hon. friend was chairman, was not able to report to the parent committee until to-day, and when the order was called, a majority of the committee decided that the consideration of the measure should be postponed, in order to permit them to take up matters which seemed to them to be more urgent. Owing to the heavy order paper we were unable to reach it this morning. I contend that there is no censure to be laid at the door of the Railway Committee in this regard. I have given you the naked facts.

Hon. Mr. DAVIS—In reply to my hon. friend, I may say that it is very true the measure was referred to a sub-committee, but that sub-committee was composed of members of the Railway Committee. I did my very best, as chairman of the sub-committee, to have meetings, and every time I tried to call a meeting I was hampered by something or other; there was a meeting of this, that or the other committee, and I never could get them together. I was surrounded by an influence I could not overcome. It was like somebody trying to climb over a 20-foot fence without a ladder. At last we had a meeting of the committee and reported the Bill without amendment. This morning, when the matter was brought up, after being on the order paper for such a length of time, and being a public measure, having just as much, if not more rights than the other Bills, and being first on the order paper, it was set to one side and the remainder of the programme taken up. Then some Bills originating in the Senate were so important that we had to suspend the rules to facilitate their passage through the House. When they suspended the rules in regard to these other measures, they might have suspended the rules to enable us to put my Bill through. I have had this Bill before the House for about three years. I think it was the first or second Bill introduced this session, and I have done my best to have it put through, because I consider it is a measure in the interests of the people of this country.

Hon. Mr. POIRIER—Hear, hear.

Hon. Mr. DAVIS—But I have never been able to do it. I do not know why it was set aside this morning. However, being a public Bill, if they are not prepared to deal with it in my hon. friend's committee.

then let it be sent to the House so that it can be considered.

Hon. Mr. YOUNG—The Railway Committee have shown no inclination not to deal with it. They only received the report to-day.

SETTLERS FROM THE UNITED STATES IN WESTERN CANADA.

Hon. Mr. DOUGLAS—I wish to call the attention of the House to an article which appeared in this morning's 'Citizen.' The 'Citizen' quotes it from a Calgary paper.

Hon. Mr. CASGRAIN—The 'Gazette.'

Hon. Mr. DOUGLAS—I am speaking of the other article, and the hon. leader of the House stated that it was purely a production from yellow literature, and no truth in the whole thing, and on Mr. Bennett's behalf he spoke very decidedly as to his being perfectly innocent.

The SPEAKER—I think the hon. gentleman is evading the rules.

Hon. Mr. DOUGLAS—I think I have a right to reply that I am charged in the House with quoting from yellow literature, However, I shall move the adjournment of the House.

The SPEAKER—If the hon. gentleman moves the adjournment of the House he must, before making that motion, show that he is directing their attention to a very urgent question.

Hon. Mr. DOUGLAS—I assure the House that it is urgent and most important—nothing could be more urgent at this juncture. The Montreal 'Gazette' of Tuesday——

Hon. Mr. DERBYSHIRE—The most respectable Conservative paper in Canada.

Hon. Mr. DOUGLAS—The article appears also in the Montreal 'Witness,' which paper does not deal in the stuff out of which they make yellow literature. The article reads as follows:

> Bennett read a document decidedly radical in its nature. He declared that the people of the west had many grievances, both in taxation, transportation, and tariff, and at the same time a majority of the settlers in the Northwest, and those pouring in there at the rate of one per minute, knew little about eastern Canada, while many of them were imbued with hereditary hatred of monarchial institutions. Under these circumstances, Mr. Bennett argued that unless the east were prepared to make some sacrifices to the west, there was real danger of a feeling for separation growing up there. There was a spirit of unrest everywhere, he said, and a desire on the part of the people to make their sovereign will felt, as was shown by the revolutions and difficulties in countries all over the world at the present moment.

I am not going to read all, or half, of his remarks, but that is enough to show that this is not merely the product of yellow literature.

Hon. Mr. LOUGHEED—May I ask my hon. friend if that is not the speech that the hon. member from Prince Albert (Hon. Mr. Davis) delivered in the Senate the other day.

Hon. Mr. DAVIS—I agree with a lot of, it but some of it I do not agree with.

Hon. Mr. DOUGLAS—The point is this; I have nothing against the character of Mr. Bennett. In bringing this matter before the House I did so because I thought it was my duty, as a member of this House and as a representative from that part of the country, to protect the reputation of the people of the west. I hold very different views as to the Americans who have settled in the west, and who have proved themselves valuable settlers. I look upon this whole matter as a slander on our citizens of the west, and I am sure that the end is not yet. Something will be done to show that our people are loyal. If they have difficulties they will make their difficulties understood. They are loyal, energetic and a business people of the first quality. We are proud to have them in our midst and we hope that any sentiments of this kind will not be repeated in the public press of the country.

Hon. Mr. DAVIS—I am pleased to know, hon. gentlemen, that I have one follower, and that I am not ploughing my furrow alone. I have one gentleman who supports a great many of my views, the hon. gentleman who represents the city of Calgary in the House of Commons, and who is known to be a good Conservative. That relieves me of the charge of partisanship. When speaking on this question the other day I said that I was not talking from a

partisan standpoint. I was stating that I knew of the western country. I am glad to know that I am backed up by such an eminent authority as Mr. Bennett, the member from Calgary. He differs from me in one matter. I stated that I considered there was no danger from the Americans, and that they were loyal and liked our system of government better than their own. A great many of them treked out of the United States because they wanted to get away from the system of government they had over there. Mr. Bennett, on the other hand, has different views, but still he gives a warning to the manufacturers and to the people who are trying to tax the people of the west too highly.

Hon. Sir MACKENZIE BOWELL—Two of a kind.

Hon. Mr. DAVIS—He warns the people of the east that they cannot strain the cable to the breaking point.

The motion was lost.

MONTREAL CENTRAL TERMINAL COMPANY.

REFERRED BACK TO COMMITTEE.

The order of the day being called:

Third reading (Bill 49) 'An Act respecting the Montreal Central Terminal Company,' as amended.—Hon. Mr. Owens.

Hon. Mr. OWENS moved that the Bill be referred back to the committee for further consideration.

Hon. Mr. DANDURAND—The hon. gentleman should give reasons why he asks to have the Bill referred back.

Hon. Mr. OWENS—When that Bill was before the committee two amendments to clauses 3 and 4 were inserted, but similar amendments have been refused in similar Bills since. One Bill which passed the committee to-day and another Bill which comes before the committee to-morrow are similar. I think it is much better that this Bill be referred back, and that all Bills of a similar nature should come up at the same time. We are not asking for any protection that is not given to other companies. I think that all Bills that come before this House that are of a similar nature should be treated in the same manner. Amendments were put in this Bill that were refused before the Railway Committee in the House of Commons. I think it is much better to refer this Bill back to the Committee on Railways, Telegraphs and Harbours for further consideration than to discuss it here.

Hon. Mr. DANDURAND—The hon. gentleman has given but a faint idea of the purposes he has in mind in moving to return this Bill to the Committee on Railways, Telegraphs and Harbours. Some clauses have been added to this Bill by the committee, after due consideration. They are practically standard clauses. My hon. friend is right in saying that a similar clause was refused this morning in a Bill which is reported to this House to-day, but he has failed to add that the circumstances were not similar. Some of the clauses introduced in the Bill this morning were concerning a transportation company which, on the face of its Act, could not have any intention of carrying on an urban passenger business in the city of Montreal. The other charters in which our Railway Committee, as well as this House and the House of Commons, have introduced the clause to which my hon. friend takes objection, were companies which could under their charter powers, do urban business in the city of Montreal. This is a distinction that has been made by the Railway Committee. I see no contradiction in the policy followed by that committee, and for that reason I object to returning the Bill to the Railway Committee.

Hon. Mr. CAMPBELL—I think it has been a common practice to refer a Bill back to a committee for further consideration. I take it that that is a very proper thing to do where amendments have been made, because they can be properly discussed and the pros and cons can be heard in the committee as they cannot be here. Therefore, I think, although I have no interest in the Bill, that the request of the hon. member should be granted, and the Bill referred back to the committee. Unfortunately, I am not a member of that committee, but I had an opportunity of being present and hearing the discussion, and I think it

would be only courteous to him to refer the Bill back for further consideration.

The motion was agreed to.

CRIMINAL CODE AMENDMENT BILL.

THIRD READING POSTPONED.

The order of the day being called:

Third reading Bill (9) 'An Act to amend the Criminal Code.'—Hon. Mr. Lougheed.

Hon. Mr. LOUGHEED—I should like the third reading to be further postponed for an amendment which has to be made. I might say that some changes are being made in the British Columbia statute to which reference is made in this Bill, and it will be necessary to harmonize the two. I would suggest that it stand over till Monday next.

Hon. Mr. CLORAN—While amendments are being introduced into the Criminal Code I think it would be advisable to have one regarding the libel law. Any newspaper print, or any print whatever, which publishes mischievous statements against the character of a country or against national interests ought to be prosecuted by the public prosecutor at the demand of the individual or the corporation affected.

Hon. Mr. LOUGHEED—I may say to my hon. friend that while there may be some affinity between saw logs and paper, it would be rather incongruous to couple libel with the saw logs and timber mentioned in this Bill. However, I quite agree with the wisdom of the suggestion made by my hon. friend. It is a question which I suggest that he work out. I do not know but that it would be in the public interest that such should be done, but I am not prepared to express any opinion upon it at the present moment.

The order was allowed to stand.

SECOND READING.

Bill (Y 2) An Act to consolidate and amend the Acts relating to the Dominion Guarantee Company, Limited, and to change its name to the Dominion Gresham Guarantee and Casualty Company.—Hon. Mr. Casgrain.

CIVIL SERVICE ACT AMENDMENT BILL —CUSTOMS CLERKS.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (116) An Act to amend the Civil Service Act.

He said: This is a Bill for the purpose of amending the Civil Service Act so far as it relates to the Customs Act. This Bill was really introduced by the late government, but owing to the dissolution of the House it did not reach its final stages in parliament. The object is to create senior chief clerks, a class of clerk for which no provision has been made. It proposes increasing the salaries of certain senior clerks by $400 a year. When we go into committee I shall be very glad to give any further information on the subject.

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

CIVIL SERVICE ACT AMENDMENT BILL —TORONTO AND MONTREAL POSTMASTERS.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (124) An Act to amend the Civil Service Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —What is this for?

Hon. Mr. LOUGHEED—This Bill is applicable to the assistant postmasters of Montreal and Toronto. They are two first class officers. They are given salaries running from $2,800 to $3,500 a year. The Toronto post office is the one in which there is the largest revenue of the whole country. Montreal comes next, and the revenue from that office is increasing very rapidly also. The Bill is for the purpose of giving greater recognition to the assistant postmasters of those two important cities.

Rt. Hon. Sir RICHARD CARTWRIGHT —How much?

Hon. Mr. LOUGHEED—When the postage collections exceed one million dollars, $2,800 to $3,500, the annual increase to be $100. Clause 2 has a somewhat similar provision.

Hon. Mr. CHOQUETTE—Quebec is not included.

Hon. Mr. LOUGHEED—When we go into committee I would suggest that my hon. friend should direct the attention of the House to Quebec.

Hon. Mr. CHOQUETTE—Quebec is more important than Toronto and Montreal.

Hon. Mr. LOUGHEED—But at present this Bill only deals with the two cities, Montreal and Toronto.

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

SALE OF BREAD BILL.

BILL DEFEATED.

The order of the day being called:

Resuming the adjourned debate on the motion of the Hon. Mr. Casgrain for Committee of the Whole House on Bill (D) intituled: 'An Act respecting the Sale of Bread,' and the motion in amendment thereto of the Hon. Mr. David, that the said Bill be referred to the Standing Committee on Miscellaneous Private Bills.—Hon. Mr. Power.

Hon. Mr. POWER—I did not propose to speak on this measure when I moved the adjournment of the debate; it was simply for the purpose of keeping the matter before the House, because at the time it came up last the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain) was not here, and it was just in order to keep the Bill alive that I made the motion.

Hon. Mr. DAVID—I beg to be allowed, before reaching a motion, to say that the hon. leader of the House intended to make a declaration in connection with this Bill.

Hon. Mr. LOUGHEED—The only statement which I can make to the House is this, that while the government is not prepared to make a definite statement as to the constitutionality of the Bill, they desire me to point out that, owing to provincial legislation and by-laws of various municipalities, there would, in all probability, if the central government legislated also on the question, be such a conflict of authority as to result in confusion; and the opinion is that it would be inexpedient, under those peculiar conditions, to supplement the legislation on the statute-book of the provinces and the by-laws of municipalities on this particular subject.

Hon. Mr. CLORAN—What about the Highway Bill?

Hon. Mr. LOUGHEED—We are not dealing with that at the present time.

Hon. Mr. DAVID—My views are exactly in accordance with those just expressed by the hon. leader of the House, and I beg to be allowed to withdraw my amendment.

The SPEAKER—Is it your pleasure that the hon. member be permitted to withdraw his amendment?

Leave granted.

Hon. Sir MACKENZIE BOWELL—What is the motion before the House?

The SPEAKER—The motion is to refer Bill (D) to committee of the Whole House, and the amendment of the Hon. Mr. David was to refer it to the Standing Committee on Private Bills, but he withdraws his amendment.

Hon. Mr. DAVID—I thought my example would be followed by the hon. member for De Lanaudière, and that he would withdraw his Bill as I withdraw my amendment.

Hon. Mr. CASGRAIN—I understand from the leader of the House that several hon. members wanted to speak; the Hon. Mr. Coffey told me just now that he wished to speak on the Bill, but he is not present at the moment. I am entirely within the judgment of this House. I fully realize that there is no chance of this Bill passing this session. Even if it were passed by this House, as I have no doubt it would be, perhaps it would not be passed by the House of Commons at this late stage of the session.

Hon. Mr. LOUGHEED—I did understand that there were several gentlemen who wanted to speak. Two or three hon. gentlemen spoke to me on the subject.

Hon. Mr. CASGRAIN—I move that the order be discharged and that it be put on

the order paper for second reading on Thursday week.

Hon. Mr. CAMPBELL—I move in amendment that the House go into committee on this Bill this day three months.

The amendment was agreed to.

CIVIL SERVICE ACT AMENDMENT BILL —PRIVATE SECRETARIES.

IN COMMITTEE.

The House resolved itself in Committee of the Whole on Bill (60) An Act to amend the Civil Service Act.

On clause 1,

Hon. Mr. LOUGHEED—I said to hon. gentlemen yesterday that I woud endeavour to secure such information as was possible touching the provision made for the secretaries of the late ministers. While it is not an official list, it is the result of the inquiry which I made. I can say to hon. gentlemen that they need not have the slightest anxiety as to due provision having been made for these gentlemen. Many of them have been advanced from the division which they occupied when they were appointed secretaries, and many of them are now in the first division and enjoying the maximum salary. I would be very pleased to show this list to hon. gentlemen who desire to see it. I understand that provision has been made for all, with the exception of one case, and the present Prime Minister has said that due provision will be made for him, and such is now being done. I find. on looking over the list. that quite a number of them are in the first division, so that no hardship is being entailed upon any of these gentlemen.

Hon. Mr. DANDURAND—I would like to amend the clause by striking out in line 9 the phrase 'for a period not exceeding one year' and replacing the word 'one' in line 13 by the word 'three.' When we passed that Act, which was quite voluminous, if my attention had been drawn to the danger of the phraseology contained in this section, I would undoubtedly have moved as I move now. As I said yesterday, it seems to me to be a very dangerous enactment that allows, a party, after serving but one year as private secretary to a minister, to break into the cilivl service. My motion is that a private secretary will have to serve three years before he is deemed to be permanently appointed to the inside service at a salary which he is then receiving as such clerk. This being my motion, I must vary the terms of the clause by striking out the phrase, 'for a period not exceeding one year,' and then the clause would read as follows:

> Any person chosen by a minister to be his private secretary may, without examination and irrespective of age, be apointed a clerk in subdivision B of the first division or in subdivision A or subdivision B of the second division, and shall be paid a salary not exceeding the maximum salary of the subdivision to which he is appointed, and after three year's service as such secretary he shall be deemed to be permanently appointed to the inside service at the salary which he is then receiving as such clerk and with rank in such subdivision.

This will not, of course, remove the objection that the civil service may have the privilege given to a minister's private secretary,. and in which they may suffer in their aspiration for promotion. I recognize that it is most important that ministers should have the advantage of selecting competent men for the important work which is confided to them. My conviction is that the civil service, which is entitled to the natural advantages of promotion, when vacancies offer, will have to put up with this privilege given to these private secretaries.

Hon. Mr. LOUGHEED—I should like to take exception to the position assumed by my hon. friend. It is clearly a money Bill. We have to reject the Bill or accept it. This makes a charge upon the public revenue, and, being a money Bill, I take the ground that the Senate is not at liberty to amend it.

Rt. Hon. Sir RICHARD CARTWRIGHT —I would just point out to my hon. friend that there is scarcely any conceiveable sort of Bill that can be brought before us, which, by introducing some clause or other of that sort, you cannot put on the footing of a money Bill. This does not affect any particular sum of money, and the mere altering of the term or period, does not

seem to me to affect the principle of dealing with a money question.

Hon. Mr. DANDURAND—I draw the attention of my hon. friend to the wording of this clause. It entitles the party to be classified in one class rather than in another class, but it appropriates no money, and when this Act comes into force a sum will have to be voted by parliament. I draw the hon. gentleman's attention to the decision of the Speaker of the House of Commons, not later than two or three weeks ago, on the Highway Bill, where he will find the very same distinction that I am making. This being the ruling of the Speaker of the House of Commons, it seems to me it is not for us to question his decision on a matter which is on all fours with this, a Bill absolutely similar to this, and which will be before us in a few moments. It is not for the Senate to curtail its power, in view of the declaration of the House of Commons, through its Speaker, that this Bill does not fall under the class of money Bills which cannot be amended.

Hon. Mr. LOUGHEED—The Bill proposes making a charge upon the consolidated revenue to the extent of the amounts represented between the first and third division of the Civil Service Act. That being a charge upon the public revenue, or against the consolidated revenue fund, I fail to see in what way we can amend the Bill. True, as my hon. friend has said, we do not propose changing the amounts involved in the Bill, but we propose changing the terms which directly affect the payment of the amount, and if you can approach so very close to the precipice as has been indicated by my hon. friend, then you can make any amendment in a money Bill that might come before the Senate by simply avoiding touching the amounts in question. I submit we must accept or reject it.

Rt. Hon. Sir RICHARD CARTWRIGHT—Take the Grain Bill for instance; that undoubtedly does impose a charge, and I think settles the amount of money that is to be paid to each commissioner. My hon. friend surely would not take the ground that it is out of our power to amend the Grain Bill when it comes to us, because out of three or four hundred clauses, one clause is introduced fixing the salary of the commissioner or of two or three commissioners, as the case may be. He will see that the position he takes would circumscribe the powers of the Senate far too much, and that it is not in accordance with the spirit, at any rate—I offer no opinion as to the latter—of the parliamentary law on those matters, but we did not hesitate, and I do not think we can hesitate, to amend the Grain Bill in certain particulars, if we deem it fit.

Hon. Mr. CLORAN—Objection is taken that this is a money Bill, and therefore cannot be amended in this House. Nearly every Bill which comes before us contains money clauses. Since I have held a seat in this Chamber both sides have amended very materially and effectively large money Bills. The Railway Act was a money Bill, and any amount of money has been expended under it. I think we made 85 or 90 amendments to that measure. If the declaration of the hon. leader of the Senate is to be taken seriously, then the Senate is absolutely of no further use in the public service and we are simply here to stultify ourselves. The hon. leader cannot be serious in telling us that because there are one or two money clauses in the Bill we have no right to amend it. Is he going to tell us that we cannot amend the Tariff Commission Bill, which is largely a money Bill? Is he going to tell us that we will not be able to amend the Highway Bill, or the Good Roads Bill? He cannot be serious, but if he is serious, we ought to fight him on that ground, and the Senate should make itself felt. The amendment of the hon. member for De Lorimier is not one that should impose a charge on the treasury, and that is where I make this distinction in regard to money Bills. I understand the Senate has no right to say to the Commons 'You have voted $400 for a certain purpose, we want to make it $600,' because that would be imposing a burden on the country without the consent of the Commons, but in this case we not only do not impose a tax on the country, but we relieve the country of useless expenditure. We safeguard the ex-

penditure to that extent. Under these circumstances, surely no man with a sane mind would say to the Senate: 'You cannot touch this Bill except to throw it out.' If we were in that position we would have no right to pass anything except a few divorce Bills, and if we come down to the fine point they are money Bills, because they cost money to put them through. Railway Bills are money Bills. I think the doctrine proposed by the hon. leader of the House should not be accepted.

Hon. Mr. DANDUARND—I draw attention to the fact that if this were a money Bill, then the whole Civil Service Act should not have been amended in this Chamber, and anything affecting the classification of the civil service would be outside the jurisdiction of this House. When the Civil Service Act was passed we amended it in very many ways. This is an amendment to the Civil Service Act. It simply alters the classification and votes no money. It simply declares that private secretaries when appointed, may be appointed to a certain class under certain conditions.

Hon. Mr. LOUGHEED—I do not think the analogy pointed out in the Grain Bill would hold good, for this reason: the House of Commons, in this Bill, has expressed itself that at the expiration of a year there should be a charge against the consolidated revenue by a certain amendment. That is the point—that upon the expiration of a year a certain charge will be made against consolidated revenue. The Senate comes in and says: 'No, we shall postpone that charge against the consolidated revenue for three years.' It is not a question of classification; it is a question of postponing the payment for a longer period than the House of Commons which has jurisdiction with money matters has done. The question, therefore, arises, the House of Commons having expressed itself as to when that charge will be made against consolidated revenue, can this House step in and say: 'No, we will postpone it for three years'? If that can be done, we can indefinitely postpone that charge. I do not think that is in contemplation.

Hon. Mr. DANDURAND—My opinion is that this is simply a classification of the civil service, and that under this classification money is to be voted which will be comprised in a money Bill, but my contention is that until that stage is reached this Chamber can deal with this Bill, and I would ask the hon. gentleman who represents the cabinet if this Bill was introduced in the House of Commons after a resolution had been offered the House, with the consent of the government?

Hon. Mr. LOUGHEED—Let me assume the government would bring down a Bill voting subsidies payable on a certain date. Can this House postpone the payment of those subsidies for a longer period in advance?

Hon. Mr. DANDURAND—Undoubtedly no. But I say there is no money voted by this Bill, and my hon. friend has not answered my question. If the money were voted by this Bill it would have to be proceded by a resolution introduced with the sanction of the Governor General. Was this Bill preceded by a resolution?

Hon. Sir MACKENZIE BOWELL—It seems to me there is no question about our power. The reference to the Grain Bill by the right hon. gentleman is correct to a certain extent, but no further. If the Grain Bill comes to us for consideration, and makes provision for the appointment of certain commissioners who are to obtain salaries, we have not power to interfere with those particular clauses. That does not, however, prevent this House from dealing with and amending any other clauses which do not affect the revenue. I do not think there is a question about that. The point which has been raised here is, to my mind, a very nice point.

This Bill makes a provision for a change in the mode of promotion, and carries with it a certain salary. As has been pointed out by the leader of the House just now, the Commons in its wisdom has continued a law which has been in existence for a number of years, providing that this increase of salary to the civil servants may be paid in certain cases after an official has served one year. The proposition now is, we do not object to the promotion of the clerk, nor to the increase of salary

which follows, but we say it must be deferred for three years. Speaking for myself personally, if this were a new Bill, introduced for the purpose of regulating the promotion of these servants, I would say at once it ought to be three years, but now we are attempting to change a clause in the law which provides for the payment of certain sums to a certain class of civil servant, making the term three years instead of after one year. I take the point of order that the committee should rise and the question should be put to the Speaker. I do not know whether I am understood, what I mean is that this point of order should be referred to the Speaker.

The CHAIRMAN—I am quite competent to judge the point of order.

Hon. Sir MACKENZIE BOWELL—I did not ask you whether you were or not. I have no doubt of your competency to decide any question and every question that might arise, but notwithstanding your superior knowledge to that of the Speaker, you have not the authority of the Speaker.

The CHAIRMAN—At present I have.

Hon. Sir MACKENZIE BOWELL—No, you have not.

The CHAIRMAN—I will have to call you to order.

Hon. Sir MACKENZIE BOWELL—I admit you can give a decision, but that decision would not be final, because it could be appealed against to the Chair. I do not wish to deprive you of any honour, or any exhibition of your talent, or knowledge of the rules governing the House. I take that point in order that we may have a final declaration from the Chair.

The CHAIRMAN—I will read rule 70.

> 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.

It would be necessary for the leader of this House to inform the Senate that this was a money Bill before we could proceed.

Hon. Mr. KERR—I call attention to what I consider a distinction between this Bill and what are known as money Bills. The rule applies with reference to the resolution upon which a money Bill is founded. Apparently the government did not recognize this Bill to be a money Bill, and did not present any such resolution. They appear to have recognized it as being a mere amendment to the Civil Service Act, authorizing a qualification of certain persons to occupy a certain rank. Incidentally to that such persons would become entitled to the salary that might be paid. That does not change or affect the nature or character of the Bill, which provides that any person chosen by a minister to be his private secretary may, without examination and irrespective of age, be appointed a clerk. That is the enacting part of the Act. And then it goes on to describe what kind of a clerk, whether he is to be in subdivision 'B' of the first division or subdivision 'A' or subdivision 'B' of the second division. That entitles him to rank and position permanently under the Civil Service Act. The mere fact that they go on and add words which may be superflous does not make it a money Bill. It goes on to say they may draw a salary within one amount or the other, the maximum and the minimum. If it is an infraction of the rule then the Commons should have said so when the Bill was taken up. The rule will be found laid down in Bourinot, page 628:

> That it is quite regular, however, to agree to amendments which affect charges upon the people incidentally only and have not been made with that object.

I think if the leader of the House will further consider the matter he will see that this has not been interpreted by the government as a money Bill. They have not followed the practice with regard to a money Bill. The salary is a mere incident to the object of the Bill, which is to place the civil servant under a certain status in the Civil Service Act, and that entitles him to one salary or the other, and for the purpose of defining what that is to be, it is placed here in the Bill. It does not seem to me to be the voting of the money for any particular purpose. It is dealing with a class of persons, and incidental to that, and for the purpose of preventing any possible misapprehen-

sion, it states what is to be the maximum of the salary.

Hon. Sir MACKENZIE BOWELL—I would like to call attention to the point which I raised. I should like to have that point settled.

The CHAIRMAN—There is a motion before the Chair that the committee rise in order to submit the point of order to the Speaker.

Hon. Sir MACKENZIE BOWELL—I raise the point of order as to the power which this committee has to amend this Bill and I ask that the question be referred to the Speaker.

The motion was declared lost.

Hon. Sir MACKENZIE BOWELL—I must take exception to the course pursued by the hon. Chairman. I made no such motion. The Chairman has no right to put a motion in my mouth that I never made. When a question of order is raised in the Senate, or in the House, or in committee, the motion is not put to the Senate as to whether that point of order shall be referred to the Speaker or not; it is referred as a matter of course. It is for the Speaker to decide whether the point of order is properly taken or not. It is about time that we should try to adhere to parliamentary usage and practice, without any Chairman arrogating to himself the right to decide whether that mode of conducting the business shall be followed. I have taken a position that has been practised ever since I have been in parliament, over forty years, and I decline to have any Chairman put me in a position of absurdity in a matter of this kind.

The CHAIRMAN—Hand in your motion in writing.

Hon. Sir MACKENZIE BOWELL—There is no such thing as putting in a motion in writing when one raises a point of order; all a senator has to do is to raise the point of order, state what it is, then let it be determined.

Hon. Mr. DANDURAND—It is so seldom that we have occasion to discuss certain points of order that I would ask you to pardon me if I say I am not very clear as to the rule upon which my hon. friend relies for his claim that when a point of order is raised in committee the chairman of the committee cannot decide it. I would read to my hon. friend rule 73, which says.

> The rules of the Senate are observed in Committee of the Whole, except the rules relating to the number of times of speaking, and no motion for the previous question, or adjournment, can be received, but a senator may at any time move that a chairman leave the Chair and report progress and ask leave to sit again.

Unless my hon. friend can show me a rule by which we are bound, and which deprives the chairman of a committee from ruling upon a point of order, then I claim that clause 73 allows the members of the committee to reject the motion that the committee rise for the purpose of seeking the opinion of the Speaker.

Hon. Sir MACKENZIE BOWELL—I hope my hon. friend does not misunderstand the position I take. I stated first that the chairman of the committee has the right and power to rule if I raise a point of order, but in case that ruling is not in accordance with the opinion of the senator who raises the point of order, then the right remains, in practice, although not provided for, to appeal to the Chair. I should not have said so much had not the chairman interfered. The probabilities are that I used some remarks that I should not have used to the chairman. I think he interfered in a manner in which he was not justified. If I said anything improper I apologize.

The CHAIRMAN—Where are we at?

Hon. Sir MACKENZIE BOWELL—I want this point referred to the Speaker.

The CHAIRMAN—I have no power to do that at present.

Hon. Mr. CLORAN—We cannot do that without the sanction of the committee. The chairman of this committee is not all powerful. We are his rulers and he cannot leave the Chair without our permission unless he desires to resign. He has no authority to leave the Chair and report to a third

party without the sanction of the committee.

The CHAIRMAN—Shall I put the motion that I rise? Moved by the Hon. Sir Mackenzie Bowell, seconded by the Hon. Mr. Lougheed, that I do now leave the Chair?

Hon. Mr. DANDURAND—There is no such motion.

The CHAIRMAN—I should like to know what the motion is?

Hon. Sir MACKENZIE BOWELL—I have raised the point of order that we have no right to make this change, this being a money Bill. You have not yet made your decision; if you have, then I take my right of appealing to the Speaker.

The CHAIRMAN—You want me to decide whether it is a money Bill or not? I decide it is not a money Bill, and I base my decision on the fact that this Bill was not introduced in the House of Commons by way of resolution, the consent of His Excellency the Governor General having been previously obtained.

Hon. Mr. LOUGHEED—If that be the case I move that the committee rise and report progress and ask leave to sit again. If my hon. friend wishes to take charge of this Bill and mutilate it to such an extent and in such a way that he knows the government of the day cannot with self-respect accept it, of course he is at perfect liberty to do so.

Hon. Mr. DANDURAND—I am somewhat surprised to hear the remark of my hon. friend. It seems to me that if this is a Bill which the Senate can deal with, there is no amendment which is so little offensive as the one I am proposing. I am leaving full power to the government—and when I say the government I am not thinking of the government of the day or the government of to-morrow—to appoint those private secretaries, with the full power that the government asks to place its private secretaries in the class it chooses, but I say that instead of having the right to do so after one year's service, they will have to serve three years. Surely if I had any hidden motive, or political partisan views in this matter I would act otherwise; When I name three years to apply to private secretaries appointed on the 10th October last, surely my hon. friend does not fear that the cabinet will be in danger within the next thirty-six months.

Hon. Mr. LOUGHEED—In reply to that I should like to say that it has been the settled policy of parliament that the status should be given to a private secretary after the expiration of a year. If I mistake not, my hon. friend was in charge of this Bill when it was introduced into the Senate. It was provided that that status should be given after the expiration of a year, and those private secretaries may be advanced under the peculiar circumstances which I have pointed out, and which circumstances were agreed to by the opposition in the House of Commons. My hon. friend now intervenes and suggests that the settled policy of parliament on this question should be departed from by increasing that time by 200 per cent, that is to say, extending it from one year to three years. It indicates a want of consideration for the responsibility which rests upon ministers, and upon the government in the appointment of their private secretaries. As a reasonable man, my hon. friend knows that no private secretary will accept this risk of abandoning a position which he may be called upon to sacrifice in order to accept this position contingent upon some condition happening three years hence. It is unreasonable; and I say it is not only unreasonable, but it is a departure from the established policy of parliament as applied to the civil service.

Hon. Mr. DANDURAND—I draw my hon. friend's attention to this fact, that the present private secretaries were appointed on the 10th of October, or thereabouts. This Bill is intended to cover their case. Now they have the absolute assurance that if the present government remains in power 36 months, there is no danger. If there should be a change of government within 36 months, perhaps their positions would be jeopardized; but it was so little in my mind that there might be a change in the present situation which could in the least affect the present private secretaries, that

I said three years. If I had said five years I could quite understand that my hon. friend would say: 'Well, there is always an element of uncertainity involved in a general appeal to the people,' but I have mentioned a term far short of the natural length of a parliament, and that is the reason why I said three years, thinking it was a period that would be accepted by everyone. The hon. gentleman who is to the right of the leader of this House (Hon. Sir Mackenzie Bowell) declared that if the Act were under review and not an amendment to the Act, he himself would be disposed to consider a limit of three years. Was my hon. friend remiss in his duty as leader of the opposition when in 1908 he allowed the Act to pass with that very short period of one year? Now that it comes here, and I see that it is only a year, it strikes me, and it struck very many senators, I believe, even my hon. friend, that a period of 12 months is too short. He may feign indignation; I am under the impression that he does feign indignation when he speaks with some warmth of the ill-advised amendment which I am proposing. When the Act was before this House, he had at the time many duties crowding upon him as leader of the opposition in this Chamber, or I am convinced that he would have drawn attention to the fact that one year was too short.

Hon. Mr. LOUGHEED—No; my point is this, as I suggested it; when the government came into office, seeing that the policy of parliament was as it is embodied in the Civil Service Act, namely one year, they gave their undertaking to the secretaries whom they employed that the right would be given to ministers to move them up two subdivisions if necessary; and in pursuance of that they bring down to parliament, embodied in that legislation, what already has been the settled policy of parliament, of which the late government took due advantage.

Hon. Mr. DANDURAND—But my amendment would not prevent that.

Hon. Mr. LOUGHEED—Just wait, if my hon. friend will pardon me; accordingly they brought down the legislation giving the government the right, at the expiration of a year, if any contingency happened by which the secretary would cease to act in that capacity, to take advantage of the status given. Now the very radical suggestion is made that we depart from that policy and make the term three years.

Hon. Mr. DANDURAND—But in the meantime a private secretary can be placed in that superior division and draw the salary.

Hon. Mr. LOUGHEED—No, he cannot.

Hon. Mr. DANDURAND—Yes.

Hon. Mr. LOUGHEED—No; let me point out to my hon. friend that the result of his amendment would be this, that if the official ceased, before the expiration of three years, to be the private secretary of the minister, he would then have no status at all.

Hon. Mr. DANDURAND—That I admit.

Hon. Mr. LOUGHEED—Now I ask hon. gentlemen is it fair, is it reasonable, that a private secretary should, after serving a minister in that capacity for 2½ years, and in the meantime possibly sacrificing some very good position to accept that office, find himself on the street without occupying any status in the civil service? Why, the position in which such a man would be placed would be lamentable. I don't think it is the intention of this House that a hardship of that kind should be imposed upon a man who had rendered faithful service in such a branch of the public service as he may have been called upon to serve. I think the policy of the Act is that at the earliest opportunity he should be given his status in the civil service, that he should not be kept suspended between heaven and earth, like Mahomet's coffin, for three years, and only at the expiration of three years be able to take advantage of that position.

Rt. Hon. Sir RICHARD CARTWRIGHT—The old government, if I remember aright, did not propose to put their private secretaries in as high positions as this new Act offers them.

Hon. Mr. LOUGHEED—Oh, no, the old government did not, for the simple reason that they were governed by the law which they found on the statute-book; but in the list which is before me, and which I shall be very pleased to show to my hon. friend, nearly all those private secretaries are practically in division 'A,' and drawing the salaries.

Hon. Mr. DANDURAND—It would be very interesting if the hon. gentleman would add the number of years that they served as private secretaries; he would find that they had been there from five to fifteen years

Hon. Mr. LOUGHEED—Precisely, but why should that condition of affairs be changed? Those men have already had the advantage of a government having served fifteen years, and during fifteen years of office that government of course advanced their salaries from time to time, until, upon their stepping out of office, they had an opportunity of making due provision for them. The new government, in coming in, did take some of those secretaries. In other cases they took outside men; for instance, we know that provincial ministers came in who had been accustomed to the services of the secretaries in the governments of which they had been members. They brought these men here upon the representation which I have mentioned. Such a class of men would not occupy the same advantageous position as a clerk who, possibly, might have been in a department for many years, and who would have been taken by the minister as his secretary. There are cases of that kind arising, and it is to meet those peculiar cases which I pointed out that this legislation is introduced. I am satisfied that the practical operation of the Bill would not result any differently than the operation of the old Act which I have before me in the case of those secretaries now placed.

Hon. Mr. BAIRD—What would be the position of the private secretaries to the late government if they had only served two years, under the amendment which the hon. gentleman moved.

Hon. Mr. DANDURAND—They would not be able to enter the service.

Hon. Mr. LOUGHEED—It only affects outside men.

Hon. Mr. DANDURAND—What I want to cure is what seems to be a possible evil, that of appointing a private secretary, after he had served twelve months, to a very important position in the civil service, to the detriment of the members of the civil service generally, and it seems to me that twelve months would not be sufficient time, in the face of the Civil Service Act which now prevents the appointment of a number of outsiders, unless they begin at the bottom of the ladder, that some appointments could be made of gentlemen as private secretaries who would have sought the position with the idea of simply making the necessary stay of twelve months in order to step into the higher position. It seemed to me that twelve months was much too short. That is why I asked to have it lengthened to three years.

Hon. Mr. CHOQUETTE—I am glad to see that it is not a money Bill, and that the opinion I gave yesterday is endorsed by the committee. I do not see what objection the government can have to inserting 'three' instead of 'one' in the Bill, unless they are anxious to have patronage, and place a number of their friends, who are now clamouring for good situations, in the government. If they were simply going to appoint secretaries to the ministers, I would have no objection, but hon. gentlemen will see the abuse which this might lead to. A man who could not pass the examination, or who had no qualification to be in the civil service, would ask to be appointed secretary just for one year, and would not do the work. The old secretary would perform the duties. The appointee would have the title of secretary, and after the time was up, he would pass over the heads of the other employees without an examination and would be placed in a better position than those who have been there twenty-five years. I do not see why the government, if this is a bona fide measure, can have any objection to extending the time to three years, because a minister who has a good secre-

tary is sure to keep him that long, unless the government go out before that time, and I hope and I feel pretty sure they will. You will see hundreds of men clamouring for office who would not accept the situation at $400 or $500 or $600, but under this Bill they will claim the right to be appointed as private secretaries pro forma, in order to be one year in the public service, doing nothing, because the work will be done by the other secretaries, and after the year is up they will be employed at a large salary, without examination. There is no reason why the amendment should not be accepted.

Hon. Mr. CLORAN—Can a minister have more than one private secretary?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes, sometimes two or three.

Hon. Mr. LOUGHEED—Yes, he may have three.

Hon. Mr. CLORAN—And these three would have the right to go into the civil service after one year?

Hon. Mr. LOUGHEED—They have the right now.

Hon. Mr. CLORAN—The secretaries for fourteen ministers would give us forty-two secretaries. There is a danger lurking here. when the private secretary receives his salary, $1,200, or whatever it may be, will he receive at the end of the year the full salary of the division he is placed in?

The CHAIRMAN—Yes.

Hon. Mr. CLORAN—And can he remain secretary and draw the salary of the higher class as well as his own salary as secretary?

Hon. Mr. CASGRAIN—Certainly, it has always been that way.

Hon. Mr. CLORAN—Private secretaries were never hoisted into the higher divisions.

Hon. Sir MACKENZIE BOWELL—That is altogether an error. There is scarcely a private secretary who desired to remain in the service on the change of ministry who has not been provided for by being retained in the service in some capacity. I know the gentleman who had been my own private secretary for a number of years was taken over by the Minister of Railways and Canals, Mr. Blair. He remained in his service as long as that gentleman was at the head of the department, and in no case, except where the private secretary thought proper to resign, have they dispensed with the services of the private secretaries. The hon. gentleman from Quebec, I think, has sounded the note which has actuated himself—I would not like to attribute it to my hon. friend who is making this motion—and that is that the proposition made by the government of the day is for the purpose of creating better positions for those they may appoint in the future, and to provide good salaries for those whom they have appointed secretaries. During my long period of service in the government I never knew of double secretaries in any department except that of the Prime Minister. The enormous correspondence which the Prime Minister necessarily has is almost beyond the power of any one man to accomplish. Sir John Macdonald had two secretaries, and both had plenty of work to do. My hon. friend to my left has given certain information in reference to the private secretaries, and I propose to read to the House how the remaining secretaries of the late administration have been provided for, and the positions they hold now. The Premier has not changed his private secretary, and he assures my hon. friend to the left that that private secretary will be not only protected, but will be promoted to the position which the present Bill contemplates. The present Finance Minister retains the secretary and makes no appointment whatever. The Minister of Labour is in precisely the same position, retaining the secretary of the former minister. In the Interior Department the clerk reverts to his former position as chief clerk of the department, which is one of the highest positions he could get, with a salary of $2,200. In the Militia and Defence the salary is $2,300, and in the Inland Revenue, when the late minister resigned, his clerk in the department would have been in subdivision 'B' of the second division at $1,600, with a

maximum of $2,100. In the Department of Trade and Commerce the secretary of my right hon. friend opposite (Rt. Hon. Sir Richard Cartwright) was promoted, I think very properly, to the deputy ministership.

Rt. Hon. Sir RICHARD CARTWRIGHT —That was done many years ago.

Hon. Sir MACKENZIE BOWELL—But up to the present no secretary has been appointed.

Rt. Hon. Sir RICHARD CARTWRIGHT —I had a private secretary when I went out of office.

Hon. Sir MACKENZIE BOWELL—I am not prepared to contradict the statement of my hon. friend, and this memorandum does not say what was done for the secretary.

Rt. Hon. Sir RICHARD CARTWRIGHT —I fancy nothing was done for him.

Hon. Sir MACKENZIE BOWELL—The secretary was in a position to be raised to $2,500. In the Justice Department the secretary is in receipt of $2,400 and will in time reach $2,500. In the Department of Agriculture the secretary is receiving a salary of $1,600, with a maximum of $2,100, and this applies also to the Department of Marine and Fisheries. The present officer reverts to the position of clerk in the department in the second division at a salary of $1,600, with a maximum of $2,100. If this Bill passes, that private secretary, or that clerk, can be promoted to class 'A' and consequently receive a higher salary; and so it is with the Post Office Department. Mr. Beland's secretary, who was only a few days in office, went back to the department from which he had been taken. In the Customs Department, the clerk goes into subdivision 'A' of the second division at $1,600, with a right to an increase to $2,100, and the secretary in the Department of Railways and Canals is in precisely the same position. The secretary in the Public Works Department resigned. So that in no case have the services of the private secretaries been overlooked.

Rt. Hon. Sir RICHARD CARTWRIGHT —Were those gentlemen reappointed secretaries?

Hon. Sir MACKENZIE BOWELL—I presume those to whom I have referred were.

Rt. Hon. Sir RICHARD CARTWRIGHT —I doubt that. I think you will find they were just allowed to remain until it suited the minister to appoint other private sectaries.

Hon. Sir MACKENZIE BOWELL—Very likely the right hon. gentleman is right. I am pointing out where no change has been made. Whether the ministers who have not made any change propose to retain the secretaries, I cannot say.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think the rule of the service is considered to be that when there is a change of government, the private secretary ceases to be private secretary until he is formally appointed. He may continue to act as a temporary private secretary, and I dare say it would be very convenient for both the minister and the party that they should do so for some time, but I think they would require a formal appointment.

Hon. Sir MACKENZIE BOWELL—He would not be temporary; he would be continued in his place until a change was made.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think the English rule is the same as ours in that respect, and a very proper rule, that the private secretaries of ministers necessarily lose their appointments when the government goes out. They may reappoint them if they like, but I do not think that has been done.

Hon. Sir MACKENZIE BOWELL—No doubt my right hon. friend is correct, and for this reason: the position of a private secretary is of such a character that he should be, and would be, in all probability, one being in accord with the opinions held by the minister.

Rt. Hon. Sir RICHARD CARTWRIGHT —Certainly I am not objecting.

Hon. Sir MACKENZIE BOWELL—For the reason that he has to deal with so many private matters that he would not want to leave it to be dealt with by a private secretary holding different views.

Hon. Mr. LOUGHEED—I was going to explain the operation of the Act to the House, because I think many hon. gentlemen are under the impression that an abuse is likely to arise as to the private secretaries of the late government.

Rt. Hon. Sir RICHARD CARTWRIGHT—No.

Hon. Mr. DANDURAND—No. My hon. friend must disabuse his mind as to that. I was not thinking at all of the secretaries of the preceding government, because I took it for granted that they had been appointed under a certain law which they knew, and that they had been treated according to that law before the government went out. I know nothing of the conditions under which they were appointed. I take it for granted that they were appointed under the operation of the law which was then in existence. When my hon. friend brought down his Bill it struck me that a year is too short, and that is why I suggested three years. I may tell him candidly that it strikes me that twelve months is too short to allow a private secretary to be put into the civil service at such a high salary as that which he would receive.

Hon. Mr. LOUGHEED—But this element is entirely overlooked, which operates against the present government. When the Civil Service Act was introduced most of these secretaries, having been in the department for a number of years, were given a status, and enjoyed a status when the late government went out that would be almost impossible to give a private secretary of the new government—that is, to a new man. The new secretary would have to come in under subdivision A of the third division; whereas most of the secretaries, as I understand, had their status fixed when the Civil Service Act was introduced and were in the enjoyment of very much larger salaries than it would be possible to give to new secretaries of the present government. The new government, therefore, felt that they could not secure secretaries under those conditions.

Hon. Mr. DANDURAND—I draw the attention of my hon. friend to the fact that with my amendment it will still be within the power of the government, or the minister, to appoint a secretary to subdivision A of the second division and give him the highest salary.

Hon. Mr. LOUGHEED—But he does not get his status for three years.

Hon. Mr. DANDURAND—But it will have a retroactive effect from the 10th of October last, when the three years are up, and when I say three years, it will only be two years and six months, because six months have elapsed, so that it has struck me that I was not in the least injuring the whole staff of private secretaries by giving them the full advantage of this amendment, while safeguarding somewhat the interests of the civil service by forcing them to serve at least three years from the 10th of October last as private secretaries. They have the special advantage of being appointed to the civil service at a very large salary, and it seems to me they could very well afford to take the risk of serving to the satisfaction of the minister for two years and six months.

Hon. Mr. LOUGHEED—I move that the committee rise and report to the Speaker the point of order which has been raised in the committee, which will enable us to look into the question and permit the Speaker to give his opinion to the House whether this is a money Bill. This was the course pursued in 1903, and it is undesirable, without proper consideration being given to the question, to have any conflict with the House of Commons on the question whether this is a money Bill or not.

Hon. Mr. CLORAN—I have no doubt at all, if this question is referred to the Speaker, that it will be declared to be a money Bill. On another occasion he declared a similar measure to be a money Bill.

The CHAIRMAN—I draw the attention of the committee, and of the hon. leader of the

fact that, according to my limited lights and the information I have in my hand, the motion is out of order. The first part of the motion is all right, if I may say so, to let the committee rise, report progress, and ask leave to sit again, but the hon. gentleman has no right to challenge the decision given by myself, as chairman of the Committee of the Whole, except in the Committee of the Whole. I refer to May's parliamentary practice, page 385, where he says:

> Order in debate in committee is enforced by the chairman, who is responsible for the conduct of business therein. From his decision no appeal should be made to the Speaker.

Hon. Mr. LOUGHEED—I move that the Chairman leave the Chair, the committee rise, report progress and ask leave to sit again.

Hon. Mr. CASGRAIN, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again, to-morrow.

Hon. Mr. DANDURAND—If that is the decision of the House, well and good, but I will not be able to be here to-morrow.

Hon. Mr. LOUGHEED—Monday.

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

THE SENATE.

FRIDAY, March 15, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

GUARANTEE LIFE INSURANCE COMPANY OF CANADA BILL.

MOTION.

Hon. Mr. CAMPBELL moved that order No. 3 for Monday March 18, relating to Bill (H 2) An Act to incorporate the Guarantee Life Insurance Company of Canada, be discharged, that rules 24a and 24b be suspended and that the said Bill be read the third time presently. He said: While I do not approve of suspending the rules generally, still Bills of this nature that come in late in the session, when the House is going to be brought to a close very soon, cannot be put through unless the rules are suspended. This is a Senate Bill and will have to go through to the House of Commons. It passed the committee of the Senate with one or two amendments. One amendment provided that the paid up capital should be increased to one hundred and fifty thousand dollars, instead of one hundred thousand dollars. Another amendment was substituting the standard clause for clause 6.

Hon. Mr. POWER—That is an unusual motion.

The SPEAKER—I would like to call the attention of the House to the motion that is now proposed for its deliberation. It is proposed to discharge an order of the day for Monday next, and that this Bill be put on the Orders of the Day and he now read the third time and that the rules be suspended.

Hon. Mr. POWER—Is this a Bill from the Commons.

Hon. Mr. CAMPBELL—It is a Senate Bill to incorporate the Guarantee Life Insurance Company of Canada. It has passed the Banking and Commerce Committee with one or two amendments. The amendments have been agreed to, and unless the Bill gets the third reading now, it will be too late to get it through the House of Commons. It has to be read a first and second time there, and the promoters are very much afraid that they will not be able to get it through. It is a Bill that no one can take exception to.

Hon. Mr. POWER—At what stage is the Bill now?

Hon. Mr. CAMPBELL—It is down for Monday next.

Hon. Mr. POWER—As I understand, it is to be read a third time on Monday.

The SPEAKER—Yes.

Hon. Mr. POWER—I do not see that the hon. gentleman will help himself very

much by having it read the third time to-day. It is a very unusual motion to make. We are undertaking to rescind a resolution which was adopted yesterday. The hon. gentleman should have given notice yesterday that he proposed to rescind. This is a very serious matter. It may not be very serious in this particular case, but it is a most unusual practice. I do not remember having seen it done before. A number of gentlemen have gone home, who perhaps might have opposed the third reading of this Bill, and for the purpose of keeping things in order, I object.

Hon. Mr. CAMPBELL—If the hon. gentleman persists in his objection, I suppose the measure cannot go through, but when I moved the third reading yesterday for Monday, I did not know of the importance of the Bill, and the necessity of putting it through at the earliest possible date. If it is not read before Monday, it cannot receive its second reading until Friday of next week. Then it has to go to the Committee of the House of Commons, and possibly may not get through at all. No person can take any possible exception to the Bill.

Hon. Mr. DERBYSHIRE—I proposed this very motion yesterday, and the hon. Speaker refused to put it to the House.

The SPEAKER—I call attention to the following rule laid down in 'Bourinot':

> The rule which requires a specific adherence to the order paper is assumed to be necessary to prevent surprises, so rigorously is it enforced in the imperial parliament that, even when it has been admitted that a day has been named by mistake, and no one has objected to the appointment of an earlier date, the change has been permitted. It is quite irregular, even if a member proposes to conclude with a motion, to introduce an attempt to debate a subject which stands on the order paper for another day.

I was approached this morning in regard to one of those Bills, and asked to make no objection. I said the only thing I could promise was that I would call the attention of the House to those facts, and the House would decide for itself. If there is no surprise, nothing to be feared in the course we are adopting to-day, the House may decide as it likes, but I think if they decide to adopt the motion it should not be regarded in any way as a precedent.

Hon. Mr. THOMPSON—I think the Bill, if read a third time early on Monday, would reach the House of Commons in time to be presented there on Monday night.

Hon. Mr. CAMPBELL—It is a matter of very great importance.

The SPEAKER—As there is an objection the matter cannot proceed further, unless the objection is withdrawn.

Hon. Mr. CAMPBELL—In future we will not suspend the rules if one member in this House objects. We suspended a dozen rules yesterday for various Bills, and each measure should receive the same treatment.

Hon. Mr. DERBYSHIRE—This is a different matter.

Hon. Mr. CHOQUETTE—I think we ought to consent, but for the future we should be very careful. Yesterday, and days before, rules were suspended. In this case there is no surprise, and we might allow the motion to be carried, without establishing any precedent.

JENKINS DIVORCE BILL.

MOTION.

Hon. Mr. DE VEBER introduced Bill (E 3) An Act for the relief of William Alexander Hunt Jenkins.

The Bill was read the first time.

Hon. Mr. DE VEBER moved that the rules be suspended in so far as they relate to this Bill. He said: There are some three or four of these divorce Bills that it is necessary to pass without delay. Last year in one case a Bill passed through this House, had its second reading in the other House and was hung up. It is a great hardship to these people who come here at great trouble and expense to apply for a divorce when such a thing occurs. They bring their witnesses, the case is heard and reported on and a Bill introduced, and it cannot be put through ex-

cept under a suspension of the rules. When it is hung up it necessitates the duplicating of all the expense and loss of time in having the case dealt with again the following year. It is to save the parties this unnecessary trouble and expense and inconvenience that I move for a suspension of the rules.

Hon. Mr. CAMPBELL—Mr. Speaker, I object.

Hon. Mr. DERBYSHIRE—This is a different matter from the other case.

Hon. Mr. CAMPBELL—I do not care. If one case is to be treated in that way all cases must be.

Hon. Mr. DERBYSHIRE—But this is an order of to-day and not of Monday.

The SPEAKER—If the hon. member wants to have the rules suspended on Monday he should give notice immediately.

Hon. Mr. DE VEBER—I give notice that I will move for a suspension of the rules on Monday next.

DUFFY DIVORCE BILL.

MOTION.

Hon. Mr. DE VEBER introduced Bill (F 3) An Act for the relief of Edith Harriet Duffy.

The Bill was read the first time.

Hon. Mr. DE VEBER moved that the rules be suspended so far as they relate to this Bill.

Hon. Mr. CAMPBELL—I object to that.

DISMISSALS ON THE INTERCOLONIAL RAILWAY.

INQUIRIES.

Hon. Mr. McSWEENEY:

1. When was W. H. Dubé dismissed from the position of district superintendent of the Intercolonial railway?
2. Was an investigation held before his dismissal?
3. Who is his successor, and who is his assistant?

Hon. Mr. LOUGHEED—The following are the replies:

1. January 20, 1912.
2. Yes.
3. Donald McDonald. No assistant appointed.

Hon. Mr. McSWEENEY:

1. When was Dr. C. T. Purdy dismissed from the position of medical officer at the port of Moncton, N.B.?
2. Was an investigation held before his dismissal?
3. Who is his successor, and what is his salary?

Hon. Mr. LOUGHEED—The replies are as follows:

1. Dr. C. T. Purdy was dismissed from the position of port physician at Moncton on the 15th February, 1912.
2. No.
3. Dr. R. L. Botsford, at a salary of $200 per annum.

RAILWAYS IN MANITOBA, SASKATCHEWAN AND ALBERTA.

Hon. Mr. DAVIS:

1. What is the total mileage of railways constructed in Manitoba, Saskatchewan and Alberta between the years 1896 and 1911?
2. What is the estimated cost per mile of railways?
3. What are the total subsidies granted in cash and lands by the federal government for construction of said roads?
4. What amounts of mileage were bonds guaranteed on by federal government in said years in said provinces and to what roads?

Hon. Mr. LOUGHEED—The following are the answers:

1. 5,849 miles.
2. Railways in these provinces cost from $16,000 to $37,000 per mile or an approximate average cost of $26.500 per mile.
3. $1,769,442—No land subsidies granted.
4. 915 miles in which bonds were guaranteed by the federal government to the Grand Trunk Pacific and 757.43 miles to the Canadian Northern railway.

THE SPEAKER OF THE SENATE.

INQUIRY.

Hon. Mr. CLORAN—Before the Orders of the Day are called, I wish to direct the attention of this honourable House to a very serious statement made in one of the leading papers of Montreal, 'La Patrie.' It has all the appearance of being semi-official. I hope that it is not official. It

relates to our honoured Speaker. It says that the honourable Speaker is about to resign his position as Speaker of this House for certain purposes, one of which is in order to have his freedom in regard to certain public questions which will come before this House in a very short time. I hope the statement is not based on fact, because I, for one, would very much regret the disappearance of his honour the Speaker from the chair. He has been about one of the best officers, and one of the most capable in the Senate in my experience.

The SPEAKER—I do not know whether the hon. gentleman is addressing himself to the government or to myself.

Hon. Mr. CLORAN—I am in a quandry. I knew the hon. leader of the House would not be in a position to answer with his honour, the Speaker, in the chair.

The SPEAKER—I am not in any better position to answer than the government. This is the first time I have heard of it, and I will ask 24 hours to make up my mind.

Hon. Mr. CLORAN—There is nothing decided?

DELAYED RETURNS.

Hon. Mr. DAVIS—Will the hon. leader of the House please state when I may expect to get the papers with respect to the boundary claim of Saskatchewan? I should like to have them before discussing the Bill.

Hon. Mr. LOUGHEED—I shall hurry them up in every possible way.

THIRD READINGS.

Bill (62), An Act respecting the Kettle Valley Railway Company.—Hon. Mr. Bostock.

Bill (91), An Act respecting the Kootenay Central Railway Company.—Hon. Mr. Bostock.

Bill (92), An Act respecting the Manitoba and Northwestern Railway Company of Canada.—Hon. Mr. Watson.

Bill (61), An Act respecting the Gatineau and Ungava Railway Company, and to change its name to The Ottawa and Ungava Railway Company.—Hon. Mr. Tessier.

Bill (93), An Act respecting the United Gold Fields of British Columbia, Limited.—Hon. Mr. De Veber.

Bill (90), An Act respecting the Esquimalt and Nanaimo Railway Company.—Hon. Mr. Bostock.

Bill (94), An Act respecting the Windsor, Chatham and London Railway Company.—Hon. Mr. Pope.

Bill (54), An Act to incorporate the Quinze River and Ottawa Railway Company.—Hon. Mr. Bostock.

Bill (39), An Act respecting the Canadian Northern and Montreal Tunnel and Terminal Company, Limited.—Hon. Mr. Casgrain.

BILL INTRODUCED.

Bill (G 3), An Act for the relief of John Angus Kennedy.—Hon. Mr. De Veber.

SECOND AND THIRD READING.

Bill (Z 2), An Act for the relief of George Mackay Sutherland.—Hon. Mr. Derbyshire.

SECOND READING.

Bill (A 3), An Act to incorporate The Canadian Central and Labrador Railway Company.—Hon. Mr. Derbyshire.

TARIFF COMMISSION BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. LOUGHEED moved that the House resolve itself into Committee of the Whole on Bill (88), An Act to provide for the appointment of a Tariff Commission.

Rt. Hon Sir RICHARD CARTWRIGHT—It is not very much concern to me, but there are amendments to be moved which perhaps my hon. friend would like to consider. We might go into committee, and I could state to the committee the amendments which I propose to move. I believe some other amendments may also be proposed, and the matter might be left over till Monday or Tuesday next.

Hon. Mr. LOUGHEED—Yes, I should prefer to go into Committee of the Whole to-day and dispose of the Bill as far as we possibly can. It is very desirable, if amend-

ments are to be made, that we should be apprised of them at once, because they will probably merit some consideration.

Rt. Hon. Sir RICHARD CARTWRIGHT—There may be a difference of opinion on that, but I think I can promise my hon. friend that they will have some consideration.

The motion was agreed to and the House resolved itself into Committee of the Whole on the Bill.

(In the Committee).

On clause 1.

Hon. Mr. LOUGHEED—I suppose my right hon. friend will be able to let us know what these amendments are?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes, I have them with me.

On clause 3,

Hon. Mr. DAVIS—I want to say a word with reference to this clause, which provides for the appointment of three tariff commissioners. The other day, when discussing this proposition, I made the statement that some indication ought to be given by the government as to who should be placed on this commission. I do not wish to go so far as to say that I should know the name of the man, but I do say that certain interests should be looked after. The hon. member from Pictou (Hon. Mr. Bell) in discussing this question, alluded to the fact that I had made some statements that were dangerous, and that the members of this side of the House, in discussing this measure, had not made any suggestions for the improvement of the Bill, but that we simply made wildcat statements. I want to say that I did make suggestions. I suggested to the House that one of the three commissioners to be appointed should be selected by the labouring classes, through the advice of the great labour unions from the Atlantic to the Pacific. Labour is organized and should have something to say in the nominating of a man to represent the labouring interests. Secondly, the great agricultural interests of this country should have something to say about the appointment of one of the men who should represent the agricultural classes. I would be quite satisfied that the manufacturing interests of this country should have the third commissioner. That is nothing but fair. Whenever the government bring down a measure with reference to the tariff, they always claim that it is to protect the great labouring interests of this country. They have a chance to try their ingenuity on that question at once, because they can go out to the Pacific coast and protect the labourers there against the Orientals that are coming into the country. We have heard little of that lately, but we heard a good deal about it during the three or four years. I also made the suggestion that great care should be taken in the selection of these commissioners, for the simple reason that there was a suspicion in the minds of people of western Canada with reference to it. They have got it into their heads that this commission was to be appointed simply to secure an increase of duty for the manufacturer. The Hon. Mr. Bell poo-pooed the idea and stated that I did not represent the feeling of the west. No longer than two or three days ago one member of parliament representing the west, the only conservative Pelican in the wilderness of Alberta, Mr. Bennett, took the same grounds in addressing the Canadian club at Montreal, that I have taken here. He said they would have to go very slow in dealing with the western people because there was a feeling arising out in that country that they were not getting justice and that it might lead eventually to serious consequences, by which he meant, I suppose, the separation of the east and the west. If I am to be accused of making speeches for the purpose of stirring up sentiment of that kind in western Canada, then I am glad to know that I am in good company, because I have a Conservative gentleman who is honest enough to tell the people down here the actual truth, that that sentiment does prevail and that it has to be taken into consideration. I am satisfied that the government should select the men for the

commission, but I think organized labour and the organized agricultural interests, because they are organized all over the country, should have some say in this matter. Is the commission to be loaded up with partisans and high protectionists? A short time ago, Mr. Ames made the statement that the commissioners had to be in sympathy with the protectionist government, and only last night I heard a very eloquent gentleman in another place saying: 'At one time we had eight barbed wire manufacturing establishments in this country, but because the government put barbed wire on the free list, six of them have been wiped out and only two left; but I hope when the tariff commission is appointed we will have them all back again.' What does that mean?

It makes the people of the west suspicious. If the government wish to remove that suspicion from the minds of the western people, and make them a little more contented than they are at the present time, they should adopt the system I have outlined, and give the agriculturists of the country representation. It may be that they will select some agriculturist who calls himself a farmer. There are two classes—the agriculturist and the farmer, one living in the town and the other in the country. They may appoint a farmer on the commission, but that will not satisfy the agricultural interests. They want to have a voice in the selection of the man, and so also do the representatives of labour. If the government would adopt this suggestion, they would find it to be very beneficial. I will move an amendment to that clause later, if my hon. friend will defer its consideration for a short time.

The clause was allowed to stand.

On clause 4.

4. In respect of goods produced in or imported into Canada the commission shall, under the direction of the minister, make inquiry as to—

(a) the price and cost of raw materials in Canada and elsewhere, and the cost of transportation thereof from the place of production to the place of use or consumption;

(b) the cost of production in Canada and elsewhere;

(c) the cost of transportation from the place of production to the place of use or consumption, whether in Canada or elsewhere;

(d) the cost, efficiency and conditions of labour in Canada and elsewhere;

(e) the prices received by producers, manufacturers, wholesale dealers, retailers and other distributors in Canada and elsewhere;

(f) all conditions and factors which affect or enter into the cost of production and the price to the consumers in Canada;

(g) generally, all the conditions affecting production, manufacture, cost and price in Canada as compared with other countries, and report to the minister.

Rt. Hon. Sir RICHARD CARTWRIGHT—These provisions are very wide, and it is quite likely that everything I am about to propose to add to them could be done under them, but I would like to have a little more specific statement on one or two points. When the Bill is again considered in Committee of the Whole I will move that clause 4 be amended as follows: By inserting immediately after paragraph (g) of subsection 1 the following paragraphs:

(h) the grounds, if any, for believing that articles in question can be produced in Canada or elsewhere within a limited period;

(i) what other industries would be affected by increase of duty;

(j) the effect of any employment in question upon the health of employees.

Those are three points entering into these matters on which information would be desirable, and although I think they could all be covered by some of these provisions if the gentlemen desired to do so, still they are not specifically stated.

The CHAIRMAN—Your suggestion is that they should be added after (g).

Rt. Hon. Sir RICHARD CARTWRIGHT—There are other amendments which are somewhat lengthy, but they contain items which I think should be given. I am supposing that the commissioners will be more disposed to increase than reduce the duties.

Hon. Mr. LOUGHEED—I do not know that my hon. friend is justified in assuming that. Of course he has the right to do it.

Rt. Hon. Sir RICHARD CARTWRIGHT—I mention that as my impression. It may be entirely erroneous—I should be delighted to find it so, but I do not think

I am mistaken. In all cases where application is made to the commissioners for an increase in duties and I am putting it on that supposition. I propose to insert immediately after the word 'Minister' at the end of subsection 1. the following:—

Provided always that in all cases where the commissioner reports in favour of any increase of duty, or where any application for an increase is made the commission shall, in addition to reporting upon the above matters, make a special report which, in the case of any industry already established, shall state—

(a) the number of factories now existing and the number of hands now employed, giving in each case the number of men, women and children respectively;

(b) the amount actually expended in cash in erecting and equipping the same;

(c) the nominal capital amounts of bonds and liabilities, also whether any mergers or combines have taken place and the amounts of watered stocks issued.

(d) a list of the shareholders and the number and amount of shares held by each shareholder;

(e) the dividends paid during each of the preceding ten years;

(f) the wages of hands and number of hours' work per diem;

(g) the total amounts of goods of the kind produced in each factory consumed in Canada, whether home-made or imported.

I need hardly tell the House, or the hon. gentlemen opposite, that, in my judgment, very great and gross abuses have been committed in the way of issuing bonds and quantities of watered stocks, which stocks are expected to pay dividends after a little time, and are used extensively in stock exchange gambling. If we are going to have an investigation into the industries of the country, the tariff commisioners might do some service in bringing such matters to the notice of the public. My amendment calls for a list of shareholders. Now, when people come before us asking to be allowed to levy a tax on the public for their own private benefit, I am opposed to secrecy. Let us know who –I will not say pick our pockets— but who levy a subsidy on us. That is a thing which should be insisted upon. My amendment calls, also, for a statement of the dividends which have been paid. My hon. friend will know the established industries which are asking for more protection, a class we found to exist in very large numbers in the case of the tariff commission on which I sat in former time.

Rt. Hon. Sir RICHARD CARTWRIGHT.

We should have a statement of the dividends paid the preceding ten years, also wages and number of hours per diem. This refers, of course, to old factories. I also ask for a statement of the quantity of goods produced in each factory consumed in Canada, whether home-made or imported. As I said, some of those things would no doubt be brought under the clauses that have been read to us, but they are not specific. I should like to have them specified in detail, and I do not think there is any of the information that I asked for here which my hon. friend, on looking into, will see serious ground to object to, but, of course, I do not expect him to give an answer, particularly to this last, off hand. I place them before him to be considered at a later date.

Hon. Sir MACKENZIE BOWELL—I understand that my hon. friend's amendment calls for a list of shareholders.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

Hon. Sir MACKENZIE BOWELL—If that information is to be given, would it not be well to add the amount subscribed and the amount paid in.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am quite willing to accept that suggestion.

Hon. Sir MACKENZIE BOWELL—If it is to be adopted at all, that information ought to be given, because then we would be able to form an opinion as to the justice of the claim.

Rt. Hon. Sir RICHARD CARTWRIGHT —A very good suggestion.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman might include also a statement as to the effect a certain procedure might have upon other industries. It strikes me that it might be as well to add whether there might be in existence any other industry.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have stated what I intend to deal with. Of course this can be amended in any way my hon. friend, or any hon. member may

suggest, if deemed expedient. There are two classes of cases which will inevitably come before these commissioners, and which, I suppose, they will be specially likely to pass judgment upon. One is a class of industries not now existing in Canada but which are desirous of establishing themselves here, and who ask for a certain measure of protection at the hands of the government. Then there is the class of industries already established who come before the government asking for further protection, or, if there are any, who come before them asking for less protection.

Hon. Mr. LOUGHEED—There will not be many of those of their own motion.

Rt. Hon. Sir RICHARD CARTWRIGHT—The two classes differ in some respects, and it is very desirable that we should have information, particularly regarding the first class, those which are readily established. I am speaking in that respect with a vivid recollection of the demands which were made upon the two tariff commissions which existed in 1897 and 1907. These are points on which we found it difficult to get information. There was a great deal of hesitation and uncertainty, and in a good many cases, as my hon. friend will see if he likes to look over the excessively voluminous reports, the commission were unable to obtain anything like satisfactory information. These commissioners, with the powers that it is proposed to give them, might obtain the information. At any rate, it is information which we ought to have.

The CHAIRMAN—I would suggest to my hon. friend that instead of moving these amendments, as is generally done, he should put them in as notices of motion so that they will be printed in the minutes.

Rt. Hon. Sir RICHARD CARTWRIGHT—That may perhaps be a more convenient mode. That would of course presuppose that we will have to rise before the Bill is concluded.

Hon. Mr. LOUGHEED—I was going to suggest, without having looked over this critically, that if the amendments are not in the form of amendments which might be adopted without further change, the law clerk might put them in such shape as to avoid further delay if we adopt them.

Rt. Hon. Sir RICHARD CARTWRIGHT—That would be satisfactory.

Hon. Mr. LOUGHEED—I assume my right hon. friend has simply drafted out his ideas as to the further scope of the Bill.

The CHAIRMAN—They will stand as notices of amendment and can be discussed at the next meeting of the committee.

Rt. Hon. Sir RICHARD CARTWRIGHT—This clause declares that they shall report to the minister. I think in addition to reporting to the minister they should furnish a copy of the evidence upon which their conclusions were based. There is a good deal said about that in other clauses, I observe, but it should be made specific. However, we can discuss that after the other matters are taken up.

Hon. Mr. LOUGHEED—The report, together with all the evidence, is to be laid upon the table of parliament, so that in any event we would have the evidence.

On subclause 3,

3. The commission may be empowered by the Governor in Council to hold an inquiry under section 12 of the Customs Tariff, 1907, in the same manner as the judge of the Exchequer Court or any other judge therein referred to may be so empowered, and the said section shall include and apply to the commission as if it were therein expressly named.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does this give to these commissioners the same power as is possessed by a judge sitting en banc?

Hon. Mr. LOUGHEED—There is a clause in the Act which places the commission precisely in the same position, with regard to the inquiry, as judges occupy under the Act—simply as to the inquiry.

Rt. Hon. Sir RICHARD CARTWRIGHT—They would have power to summon witnesses?

Hon. Mr. LOUGHEED—Yes, whatever jurisdiction the judges would have.

Rt. Hon. Sir RICHARD CARTWRIGHT —And they would have power to commit them for contempt of court?

Hon. Mr. LOUGHEED—Whatever power a judge in a court has, these commissioners will have.

Rt. Hon. Sir RICHARD CARTWRIGHT —Giving three presumably unlearned men —I use the word in a legal sense—the same powers as judges is going pretty far.

Hon. Mr. LOUGHEED—I refer to section 12 of the Customs Tariff Act. It has been considered more desirable to empower the commissioners to do this than to take up the time of a judge or to make a reference to a judge. It is very undesirable that the judges should be involved in cases of this kind, and, furthermore, the time of the judges is so occupied as to render it undesirable that they should be engaged in making a long inquiry.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am not going to suggest that judges should be employed on a tariff commission. I can understand that the difficulties would be great, but my hon. friend must be aware that to grant to three laymen the same powers which are conferred on a judge on the bench is going pretty far. The judges have occasionally exercised powers considerably in derogation of the liberty of the subject. You must remember that in the case of judges there is generally an appeal to a higher court, but these gentlemen would have absolutely arbitrary power.

Hon. Mr. LOUGHEED—I would not be prepared to say that in a customs tariff inquiry the judge would have that authority. The section of the Act reads:

> The judge may compel the attendance of witnesses and examine them under oath, and require the production of books and papers, and shall have such other necessary powers as are conferred upon him by the Governor in Council for the purpose of such inquiry.

That is the extent of the authority granted to a judge, and those commissioners would exercise the same jurisdiction.

Rt. Hon. Sir RICHARD CARTWRIGHT —Giving a private party the same power as a judge is going a long distance, and am I not correct in saying that these worthies might send these men to prison if they saw fit?

Hon. Mr. LOUGHEED—A commissioner is not a judge. He is only acting in the capacity of a commissioner to make inquiry and to report to the Governor in Council. He does not use the same discretion as a judge on the bench.

Rt. Hon. Sir RICHARD CARTWRIGHT —The words used here are pretty large.

Hon Mr. LOUGHEED—It refers to section 12 of the Tariff Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —It says 'In the same manner as the judge in the Exchequer Court, or any other judge.'

Hon. Mr. LOUGHEED—That is the judge of the Exchequer Court or any other judge acting in the capacity of a commissioner under the tariff commission.

Hon. Mr. CLORAN—With the same powers as a judge.

Hon. Mr. LOUGHEED—No, not necessarily. The judge has no greater power than given him under section 12 of the Act.

Hon. Mr. CLORAN—I beg to differ from the hon. gentleman.

Hon. Mr. LOUGHEED—I cannot help that.

Hon. Mr. CLORAN—There is another point. The commissioner is holding an inquiry on a charge of fraud against the customs. There the commissioner and the judge, acting as commissioner, has full power. The inquiry under the Customs Act would be against an importer who had acted fraudulently in regard to the customs. Any power given to the judge in that case would be perfectly legitimate, but this is simply an inquiry where there is no charge of fraud or anything of the kind. The difference is quite essential. I quite agree with the right hon. leader of the opposition that to give practically judicial power to three laymen is going beyond the limit. I certainly would not clothe them with judicial power.

Hon. Mr. LOUGHEED—In order that my right hon. friend may not exercise undue solicitude for the parties who would come before the judge in such case, I point out that this inquiry is limited to an inquiry into conspiracy, combination, arrangement of any kind among manufacturers or dealers to unduly promote the interests of the manufacturers and dealers at the expense of the consumers. It is only for that purpose, so that the consumer will not be in jeopardy, it will only be the manufacturer, and my hon. friend's sympathy will not go very far with the manufacturer.

Rt. Hon. Sir RICHARD CARTWRIGHT—Of course I am aware of the difficulties that stand in the way.

On subclauses 3 and 4,

Rt. Hon. Sir RICHARD CARTWRIGHT—We will accept that provisionally.

On clause 3,

Hon. Mr. DAVIS—I give this as a notice of motion, that the following words be added in continuation of section 1 of clause 3, namely: 'One of whom shall be acceptable to the labouring interests as expressed through their organization in Canada, and one who shall be acceptable to the agricultural interests as expressed through their organized bodies in Canada.'

Hon. Sir RICHARD SCOTT—Who is going to enforce an order of that kind?

Hon. Mr. DAVIS—If it is in the Act it will have to be carried out.

Hon. Sir MACKENZIE BOWELL—It is an abrogation of the whole principle of responsible government.

Hon. Mr. DAVIS—The government have taken the responsibility of appointing the commission and this amendment would take a great deal of responsibility from the government.

The CHAIRMAN—Inasmuch as Sir Richard Cartwright's amendments are being sent up to the law clerk, I would suggest that the amendment of Hon. Mr. Davis' should go through the same course.

Hon. Mr. WATSON—This is an amendment that is easily understood, and it does not require to be revised by any lawyer.

Hon. Mr. DERBYSHIRE—Let it be revised.

Hon. Mr. WATSON—If the leader of the House is prepared to accept that amendment, there would be very little other objection taken to the Bill.

Hon. Mr. DAVIS—We will pass the Bill if he will accept this one amendment. It will take the sting out of it.

Sir LYMAN JONES—I wonder the hon. gentleman would not suggest as a further amendment, which one of these representatives should be chairman.

Hon. Mr. WATSON—I think I would prefer a farmer.

Hon. Mr. DERBYSHIRE—I think we should put in a cheeseman.

Hon. Mr. TAYLOR—The fishermen ought to be represented.

Hon. Mr. CLORAN—The coal heavers.

On subclause 3, of clause 3,

3. Each commissioner shall hold office for a period of five years from date of his appointment, but may be removed by the Governor in Council at any time for cause.

Rt. Hon. Sir RICHARD CARTWRIGHT—To this I take a rather serious objection. You are proposing to put these men virtually in the same position as judges, and to make them absolutely irresponsible. A succeeding government may have a different line of policy and may justly desire to put an end to this commission and remove these people. It is my opinion that this practice of putting persons in authority for a term of years, only removable for cause, is most decidedly objectionable, per se, and I will give notice that, at the proper time and place I will move that these officers shall hold office during pleasure.

The CHAIRMAN—You can do it right now.

Rt. Hon. Sir RICHARD CARTWRIGHT—Probably the hon. gentleman prefers not

to have the debate at the present moment, and that we adopt these things together. I will put it in the shape of a notice of motion, 'that these parties shall be appointed during pleasure.' I do not mind their holding office for five years.

The CHAIRMAN—Your amendment will come in after the word 'office.'

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes, 'shall hold office during pleasure,' that would be my amendment.

Hon. Mr. LOUGHEED—Then subclause 4, which provides that the commissioners shall be eligible for re-appointment, would come out.

Rt. Hon. Sir RICHARD CARTWRIGHT—They might remain in, if my hon. friend's expectations are fulfilled, for twenty years.

Hon. Mr. LOUGHEED—It is not necessary to make provision for their eligibility for re-appointment if they are appointed at pleasure.

On subclause 2 of clause 5,

2. The commissioners shall have the same power to enforce the attendance of witnesses, and to compel them to give evidence, as is vested in any court of record in civil cases.

Rt. Hon. Sir RICHARD CARTWRIGHT—Would not that give them power to commit for contempt of court ?

Hon. Mr. LOUGHEED—No, that simply deals with enforcing their attendance.

Rt. Hon. Sir RICHARD CARTWRIGHT—Suppose they refuse to attend.

Hon. Mr. LOUGHEED—They are not given the power of a court.

Rt. Hon. Sir RICHARD CARTWRIGHT—Would it not give them power to commit for contempt?

Hon. Mr. LOUGHEED—I think it would for contempt in the face of the court. The only way they can compel a witness to give evidence would be by exercising some class of restraint upon the witness.

Rt. Hon. Sir RICHARD CARTWRIGHT—How far does that go?

Hon. Mr. LOUGHEED—It is a very rare thing. The knowledge of the witness that he is in jeopardy invariably compels him to give evidence.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think we have an hon. gentleman here who could give some evidence on that subject. I think my hon. friend from St. John (Hon. Mr. Ellis) is a martyr to that subject.

Hon. Mr. CLORAN—Yes, he ought to move an amendment.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think my hon. friend had to spend a matter of two or three months in jail, in St. John, during which time he was visited and apologized to by every respectable member of the community, including the Lieutenant Governor, and thereafter was elected member for the city.

Hon. Mr. LOUGHEED—Yes, I recall that.

Rt. Hon. Sir RICHARD CARTWRIGHT—The powers of the judges are somewhat carelessly exercised in some of these cases.

On subclause 6,

6. One commissioner shall have power to conduct any inquiry under subsection 1 and subsection 2 of the next preceding section and may, for the purposes of such inquiry, exercise the powers conferred upon the commissioners by subsections 1 and 5 of this section.

Hon. Mr. JONES—This is deciding a question that has not yet been passed by the committee.

Hon. Mr. LOUGHEED—It is not proposed to amend this; it is proposed to enlarge these powers.

Hon. Mr. JONES—It may be so changed that this would not apply. In passing the subsection 6 you are deciding upon a principle with reference to the preceding clause.

The CHAIRMAN—We have passed the whole of four. We have passed from one to five of this clause.

Hon. Mr. LOUGHEED—We can always reconsider.

On subsection 9 of clause 5,

9. Should evidence or information in its nature confidential, relating to the business or affairs of any person, firm or corporation, be given or elicited in the course of any inquiry, the evidence or information shall not be made public by the commission in such a manner as to be available for the use of any business competitor or rival of the person, firm or corporation, respectively, but this subsection shall not apply to an inquiry under subsection 3 of section 4 of this Act.

Rt. Hon. Sir RICHARD CARTWRIGHT—Now a question arises here. Where we are dealing with the case of parties who are conducting an ordinary business in an ordinary way, that is a very proper clause, but if you are dealing with the case of persons who come to the government, or to this tariff commission, saying that they desire power to levy taxes on the rest of the community for their special and individual benefit, I do not think they are entitled to any confidential communication, or any protection of the kind. If a man comes to the authorities and says: 'I cannot carry on my business unless I am subsidized heavily by the state,' everything in connection with his business ought to be made public.

Hon. Mr. CLORAN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—This is a question of principle. If he is carrying on business without any assistance from the state, his communications by all means ought to be respected; but if he comes demanding a subsidy, then he has no sort of right or justification for keeping anything back, or for refusing to allow it to be made public.

Hon. Sir LYMAN JONES—I think the clause as it stands must appeal to every member of this House as being necessary in the best interests of the country. It might be possible to include a clause covering the subject suggested by the right hon. gentleman who has just spoken, namely, that if people come to the government asking for subsidies—

Hon. Mr. CLORAN—Increased tariff.

Hon. Sir LYMAN JONES—It may be increased tariff, or subsidy or bounties; they should be treated in a separate clause, and it should not be attached to business men, having business interests in the country, whose business would be injured by making public what would be private information. I think the clause goes further now than it should go.

Hon. Mr. McSWEENEY—Who is to be the judge as to whether it is to be confidential or not?

Hon. Sir LYMAN JONES—I presume the minister to whom it is to be submitted, or the government, will decide upon that. It is not to be put in a manner so that it will be available for the use of any business competitor or rival. If it is made public at all, it must in the end reach rivals or competitors, and not only rivals or competitors, within the country, but rivals or competitors without the country. Because it cannot be made public without being made use of in a way that might, and doubtless would, inflict serious injury on the individual who had been obliged, under the Act, to give evidence of a private nature in connection with his business. I submit that that class of evidence should, under no circumstances, be made public. No one desires that any interests in Canada should be injured by this legislation, but they want to enable the government to frame the law in the best interests of Canada.

Rt. Hon. Sir RICHARD CARTWRIGHT—To enable parliament—not the government.

Hon. Sir LYMAN JONES—This says it shall not be made public by the commission.

Hon. Mr. ELLIS—If you stop at the words: 'shall not be made public' you include the whole world.

Hon. Sir LYMAN JONES—The government are responsible to the people, and will enact such laws as are in the best interests of Canada.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend would like that the government should hear only one side, and that is the practical result of it. In the hearings before the commission to which I have referred, while the interests of certain special classes were admirably presented, and constantly kept before the commission, the interests of the consumers were

simply nowhere. They were not represented and did not know what was going on, and it was not until after the statements were made public in the newspapers that we got information as to the effect of certain changes. I agree that where parties are examined who are not seeking for special benefits, then the provision is a good one, but my remarks were addressed to the case of persons who come before the commission, or before parliament or the country, asking for certain special privileges for themselves, which privileges amount to a power to tax the whole community for their benefit. In such case I say no concealment is justified or should be permitted. They should be compelled to make a clean breast of their whole business before they apply for subsidies, bounties or tariff increases.

Hon. Mr. JONES—In order that there may be no misunderstanding of what I said, I desire to explain that I take no exception whatever to the case as made by the hon. gentleman. I was dealing with the case and accepting the principle he laid down.

Hon. Mr. CLORAN—Do I understand my right hon. friend to move to insert as an amendment a provision that the evidence of people who go to the tariff commission, or to the government, seeking a higher tariff or a bounty, shall not be held secret? I think it is necessary to move an amendment, if that is the object.

Hon. Mr. LOUGHEED—This covers such a variety of spheres, so to speak, that I fail to see how it could be made practicable to further amend it. I cannot say what particular class of case the draftsman had in view when this was framed, but let us instance the case of the manufacturer who possibly may be competing against the importation of foreign manufacturers, and he approaches the government with a view of saving himself from disaster by having a tariff framed to build up that particular industry in which he is interested. His very financial existence may be contingent upon his disclosures to the commission. Would it be fair to give publicity to the representations made by such a manufacturer?

Rt. Hon. Sir RICHARD CARTWRIGHT.

Hon. Mr. CLORAN—Yes.

Hon. Mr. LOUGHEED—It would?

Hon. Mr. CLORAN—Certainly.

Hon. Mr. LOUGHEED—I cannot in any way influence the mind of my hon. friend upon such subjects.

Hon. Mr. CLORAN—The hon. gentleman might influence my pocket.

Hon. Mr. LOUGHEED—It should appeal to every reasonable man that, where disclosures are made of the character to which I have referred, made in confidence to the commission, for the purpose of saving the manufacturer from financial disaster owing to foreign competition, and particularly with reference to a line of manufacture or industry which may be built up in Canada profitably if the tariff is so framed as to take into consideration the interest involved, that that information should be kept private. It would come within the class of cases mentioned by my right hon. friend, where such a man has asked for a favour, or for an increase of the tariff, or has asked for a tariff, because it must be kept in view that there are cases where industries are not really protected by the tariff—industries upon the free list which might be built up in Canada to the general advantage of the public interest. Therefore I say that so many interests might possibly come under a clause of this kind that to begin to make provision by excepting any particular class would probably result in an abuse. I think, under the circumstances, the commissioners must exercise some discretion. The government must exercise discretion. They are charged with these very important interests, and it is utterly impossible before hand to make provision for every unlooked-for condition that might arise.

Hon. Mr. CAMPBELL—Take the case where a man is not seeking any revision of the tariff, not asking for any increase or anything of the kind. When this commission goes around I can imagine that they have a power to make him disclose his business, the cost of raw material, the prices he receives and what profit he

makes, and everything of that kind. In that case he should be protected and his evidence should not be made public. But that is not the case referred to by the right hon. leader of the opposition. I agree that where a man goes to the commission and demands protection or a bounty, there should be no surrender, and he ought to be able to make a case that would stand on its own merit, and the world should be made aware of it. But there are thousands of manufactures going on through the country. In my own case I should not want to publish to the world all my business. I do not ask any protection and am ready to stand on my own footing. But the difficulty is to frame a law, and who is to decide whether the information is confidential or not? It is very difficult to decide how far we shall go. I can see a good many difficulties.

Hon. Mr. POWER—I think the case put by the hon. leader of the government is just a case where it is most desirable that there should be publicity. The case he puts is that some one who is engaged in manufacturing in this country finds he is not able to compete with people outside, or he wishes to establish a new manufactory in this country, and he wishes to have so much duty imposed as will enable him to compete with outsiders.

Hon. Mr. LOUGHEED—The hon. gentleman will pardon me: If he will look at the remainder of the clause he will see that the information is not to be made available for the use of any business competitor or rival of the firm or corporation. I have reference to one in a particular class of business. If financial disaster is facing him, he certainly should have the right to make his representations to the commission, and surely his unsatisfactory financial position should not be taken advantage of by the commissioners for the purpose of ruining him.

Rt. Hon. Sir RICHARD CARTWRIGHT—Suppose you apply that a little further; are you prepared to say if a farmer's crops are destroyed by any accident, such as has occurred on a large scale in my hon. friend's own province, that he is prepared to advise the government to indemnify him to some extent for his loss? I recognize fully that in the case of parties who are not applying for an increase of the duties, or protection of any kind, this provision is right enough.

Hon. Mr. LOUGHEED—This only applies to an individual of a class; it does not apply to the class. If it applied to the class I could understand the objection. Something may transpire in the disclosures which may take place as to one individual. I cannot understand why the public interest should be aroused in such a case as that. That man's disclosure should be protected, because the commission shall have made a sufficiently comprehensive inquiry into the conditions of the whole class as not to warrant disclosing the evidence of a particular individual of the class who cannot afford the information to be made use of by his competitors.

Hon. Mr. CLORAN—Evidently the hon. leader of the government does not wish to see the point made by the right hon. leader of the opposition. The right hon. gentleman does not want any manufacturer to disclose his business to the country if he is facing financial disaster, but if that manufacturer comes to the government asking aid through the tariff, he has no right to keep his affairs secret, and it is the duty of the government to make the information public.

Hon. Mr. LOUGHEED—We are not discussing that class at all.

Hon. Mr. CLORAN—That is the class mentioned. I understand that the information should not be made public unless the manufacturer is seeking further aid. The hon. leader has great sympathy for the manufacturer who is in financial distress, but he seems to have very little for the consumer, who will want to know why the article he consumed costs more after the manufacturer gets aid from the government. Supposing a manufacturer, who has a protection of 20 per cent on the article he produces, meets with disaster and asks for an increase of duty from 20 to 30 per cent, the consumer has to pay the difference, while the manufacturer gets the ad-

vantage of the increase. Now that is not fair. If the government were getting the benefit of the increase I would say all right, but as I stated before, the manufacturer does not contribute one cent to the national treasury. All the money he gets out of the protection he puts into his own pocket. It is the consuming classes that pay the revenue. No man should get a favour for himself without the consuming public knowing why.

Hon. Mr. POIRIER—As worded, this clause gives the commission considerable latitude, making them the judges as to what is confidential information or not, and it is very proper. The law cannot reach all cases, and the commissioners must be left to exercise their discretion. They will have no object whatsoever in divulging secrets of any kind that might injure any one. Evidence of that nature which may be laid before them will be only of a strictly confidential nature, because further on in the clause it is said that this subsection shall not apply to an inquiry under subsection 3 of section 4 of this Act. Now subsection 3 refers to the commissioner sitting as a judge does while holding his court. Therefore, the number of cases to which this clause applies will be necessarily limited. I believe that we should leave this clause with all the elasticity it possesses, and that in the very best interests of all who may come before the commissioners.

Hon. Sir MACKENZIE BOWELL—It seems to me we are travelling a long way beyond the cases we are providing for in this clause. If I understand this measure, it is for the purpose of appointing commissioners to ascertain facts on which the government may be in a position to act. As I understand the point made by the right hon. the leader of the opposition it is this: if a manufacturer wishes to have the tariff increased, or to receive a bounty, the information which is obtained with respect to that by the commissioners should be made public. A moment's reflection will convince the right hon. gentleman that if he were Finance Minister again, and had to deal with the tariff, he would consider a proposition of that kind improper, as it would hamper him a great deal in framing the tariff. If I understand the object of this clause and this whole Bill, it is to provide that if a person desires to receive aid by way of subsidy, or bounty, or increased duty, the reasons which he gives to the commissioners should be reported to the government, and upon that information the government would act. They might come to the conclusion that the reasons advanced by the manufacturer were not sufficient to justify either the granting of a subsidy or increasing the tariff, or they might go further and say that it is not in the interests of the consuming community, considering the prices at which these articles have been manufactured and put on the market, to justify any increase in the tariff. That, it seems to me, would be the result of an inquiry of that kind; but to make public the whole facts connected with it, particularly if the government did not intend to accede to the request for aid, would be not only ruinous to the man himself, but would be of no possible advantage to the community. If, however, the government of the day comes down to parliament with a proposition to increase the tariff upon any particular article, or to grant a subsidy to any industry, then it would be the duty of the Finance Minister to give full and ample reasons to parliament why he proposes to grant the aid. That seems to me to be the object of this clause, and the object that the government has in view in appointing this commission. The information can be of no interest to the public, while, on the other hand, it might be injurious to those carrying on that particular line of business. The only good result which could be attained by it would be in case the Finance Minister desired to ascertain public opinion on the subject before introducing his Bill or changing the tariff. I need scarcely say to my right hon. friend, with the experience he has had in tariff and customs matters as a member of former governments, that that would aid a minister very little. Because of the differences of opinion amongst people on all matters affecting trade, it would be impossible for him to form a correct judgment from the diversified views which might be expressed. He will have to take

the facts laid before him as the result of this investigation, and then say to his colleagues: 'I am of the opinion that we should not interfere in this matter'; or, if he took the other view, say: 'Under the circumstances, if we desire this industry to be established, or continued in the country, these changes should be made'. That, to my mind, is the object of the Bill, but to say that information obtained under the circumstances to which my right hon. friend has alluded, should be made public is to destroy the whole effect of it, and render it utterly impossible for any government to carry on the business of the country.

Rt. Hon. Sir RICHARD CARTWRIGHT —I might say to my hon. friend, who is an old hand, and so am I, that I dare say he has had recourse in his time, to an expedient which I have tried, and which some of my successors have tried, and some of my predecessors tried; when gentlemen came to us desiring an increase in the tariff, we succeeded on several occasions in having other gentlemen, whose interests were affected, present in the same room. The only difficulty was that we had considerable trouble in keeping them from flying at each other's throats, but we got at the truth.

Hon. Sir MACKENZIE BOWELL—I think I have experienced the same thing.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think you have in all probability. The difficulty that I see here, putting party views and questions of free trade or tariff aside, is that this tariff commission will act, to a certain extent, with the government, and the government will, largely, act upon the recommendations of the tariff commission. It is certain that one side will be presented more effectively, and very much more fully than the other side, and it is for that reason that I am anxious to secure as much publicity as possible. I have explained the amendment, and that it is only in the case of parties who are desiring of obtaining increases that I would desire the required publicity.

Hon. Sir MACKENZIE BOWELL—My hon. friend will admit that when the government is about making a change, after having received all the information that they can receive from one side, they will seek information from the other before making up their minds. They will do this in order to justify the position they take in the House

Rt. Hon. Sir RICHARD CARTWRIGHT —It is exceedingly difficult to get the other side into the court, where that side consists of consumers.

Hon. Sir MACKENZIE BOWELL—All you have to do is to ask for it.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have done that without success.

Hon. Mr. POWER—I assume the government have borrowed this idea of a tariff commission from the President of the United States.

Rt. Hon. Sir RICHARD CARTWRIGHT —Impossible. They have no truck with the Yankees.

Hon. Mr. POWER—That is my impression.

Hon. Mr. McSWEENEY—No doubt about it.

Hon. Mr. POWER—I wish to ask a question in connection with that. As I understand, Mr. Taft's commission is a non-partisan one; that is set forth in the provision for their appointment.

Hon. Sir MACKENZIE BOWELL—It ought to be.

Hon. Mr. POWER—It is a non-partisan commission.

Hon. Sir LYMAN JONES—A good country to get one in.

Hon. Mr. POWER—Unless I am mistaken in the case of the United States tariff commission, which is a non-partisan commission, there is provision for publicity. There is no secrecy For that reason I think it is perfectly clear that some such amendment as has been suggested by the right hon. leader of the opposition to sub-clause 9 is necessary.

Now that sub-clause does not confine the confidential nature of this evidence to competitors in Canada. It applies where the parties propose to compete with outsiders. For instance, there is the Massey-Harris concern. They compete, I understand, in the United States with manufacturers of the same article in that country I know they compete successfully in Europe and Asia, and it does seem to me that if this tariff commission is making an inquiry, and, we will say, the Massey-Harris representative says 'the giving of the details about our business is likely to interfere with our business in the United States, or in Russia, or somewhere else,' then where is parliament at ? You will find that every corporation, and every manufacturer who is looking for an additional amount of protection, or for a bounty, will be able to put himself in that class, and then the provision in the Bill that the evidence shall be submitted to parliament in order that parliament may judge as to whether the action of the government, with respect to the duties, is reasonable or not, will be of no effect. The evidence will not be there for parliament, but will be shut out under this clause. I think the clause should not pass in its present form. I assume that the right hon. the leader of the opposition, will be prepared, when we go into committee on the Bill again, to submit an amendment to this clause. I have taken no part in the discussion of this measure, but I do think that an amendment of this clause is absolutely necessary.

Hon. Sir LYMAN JONES—It appeals to me that the hon. gentleman who has just spoken has made an unanswerable argument why the information gathered under this clause should not be made public. He has spoken of a Canadian company which, he says, is doing business in Canada and in the United States. I happen to know a good deal of the affairs of that company, and I want to correct the impression that the hon. gentleman has made. They have no business in the United States. They never have had any business in the United States. They have never been competitors there; that condition is impossible from their standpoint.

Hon. Mr. POWER—I do not wish to misrepresent the Massey-Harris concern——

Hon. Sir LYMAN JONES—I am only correcting the hon. gentleman.

Hon. Mr. POWER—If you will allow me, I read in the newspapers some months ago that the Massey-Harris Company were about establishing a branch in some part of the United States. Is that correct ?

Hon. Mr. CLORAN—Yes.

Hon. Sir LYMAN JONES—That the Massey-Harris Company are doing what?

Hon. Mr. POWER—Are proposing to establish a house in the United States

Hon. Sir LYMAN JONES—The Massey-Harris are interested in a manufacturing concern in the United States, the Johnston Harvester Company, which is partially owned by the Massey-Harris Company. It is not nice to have to talk shop, but it has been brought up and I want to answer it. I am doing this for the purpose of pointing out the serious difficulty that would arise by publishing the evidence. The Massey-Harris has a very considerable business in foreign countries—Australia, New Zealand, South America, France, Germany and Russia—in practically all the countries of Europe that grow wheat.

Hon. Mr. CLORAN—Does that company sell any of its implements at cheaper rates in these countries than in Canada?

Hon. Sir LYMAN JONES—I will give the hon. gentleman an answer to that, because he is specially interested in this question, that is evident. I know what I am speaking about, and I will say that the Massey Harris Company do not sell in any of these foreign countries where their machines are sold, as cheap as they sell in Canada. I make that statement on the floor of this House, and I challenge anybody to contradict it successfully. Now this is a Canadian company doing business in Russia, or Australia if you like. This commission will have power to summons the offi-

cers of that company and make inquiry with reference to their business, the cost of production, the price in Canada, the price in Australia, the price in Russia, or Germany or France, in every country in which there is a larger price obtained than in Canada for these implements, and when it is made public it goes into the hands of every Ameri an and European manufacturer who comes in competition with this company. Does any gentleman here suppose for one moment that that condition of things would be in the interest of Canada? If a Canadian institution can go out into the world and get a successful business, bring that business to Canada and give work to Canadian workmen and to Canadian railways and use up Canadian material, and if there is any profit in it does any gentlemen here think that that is not the best possible thing that can happen to Canada? Does it not follow, if that is the case, that that enlarged output will materially decrease the general cost of production, and that that will be to the benefit of Canada? I make this statement in order to have one concrete case in which the proposed amendment would inflict a serious injury to Canada without any possible good coming from it. Canada is interested in the business of Canadian industries in foreign countries in so far as that business affects their own business. No one can look into a matter of that kind for five minutes without seeing that, if it is a manufacturing industry, it must bring back to the country not only the advantage derived from the outside business, but the advantage arising from an increased volume of business helping the home business. Every gentleman in this House who has considered this question for a moment knows that in these days when competition is so keen, for the purpose of competing successfully, the great question to consider is volume of business. Get your volume of business and you can compete with anybody. Canadians need be afraid of the Americans only in so far as the Americans have a greater volume of business. They have one hundred million consumers to take care of their product, as against seven or eight million consumers in Canada. These are reasons why, if Canadian manufacturers desire to succeed, they are forced to go out of Canada for volume of business, to enable them not only to get profits out of that business, but to enable them to reduce the cost in order to be able to compete successfully at home with those who come in from foreign countries where raw material is much cheaper and where the cost of production is a great deal less than it is here. These are facts that any one may know without looking for them through a commission. Hon. gentlemen may know from their own general knowledge of the world's supply of labour and material, and no good in the world can come from such a condition as that. Nothing but injury to the interests sought to be benefited by this condition can be brought about by such a publication. I may say that I have no interest in this question, and, as my particular industry has been mentioned, I say further, that no living politician—no dead politician, if he has left a record of what he knew—can say that the Massey-Harris representatives, either the company, or officials, at any time in twenty years asked the government for an increase of tariff. I would appeal to the right hon. gentleman, if that is not true. I can appeal to the Minister of Customs, if that is not true. Therefore, I am not discussing this question from the standpoint of one who is asking for a tariff. I have never been in that position. I hope the government will give to Canada just such a tariff as is in the best interests of the whole of the people of Canada, and if I cannot conduct business in Canada along lines that will progress satisfactorily under those conditions, then I have a line of business that was never intended to succeed in this country. The right hon. gentleman suggested seriously that, where a citizen of Canada asks the government for an increase of tariff, his request shall be made public and shall go broadcast over Canada, and his business laid bare, so to speak. If we had a uniform tariff and uniform conditions in Canada, probably that would be a practical suggestion to make, but you have to keep this in mind, in connection with that clause. We have manufacturing industries of var

ious kinds, and when I say manufacturing industries I do not wish to draw the line between the manufacturing of farm produce and the manufacturing of implements, because the people of Canada are all manufacturers and consumers. There should be no such division as is indicated sometimes on the floor of this House, as to there being two sets of people, so to speak, in Canada. We are all producers and all consumers. Many lines of industry are carried on in Canada with no protection whatever. Some lines have been, and possibly are now—I am not prepared to say—not only under conditions where no tariff whatever applies, under an absolutely free trade situation, and others have a bounty paid to them—a bonus so to speak. Others have a customs tariff of ten per cent. Other lines of business 15 per cent, others 20, 30, 40, 50 and 60 per cent. And these are conditions which the government of Canada have considered in the best interests of Canada, and I refer to that as a principle laid down by both political parties in Canada. No substantial difference has appeared in the actual carrying on of the affairs of the country under the tariff between the two great political parties, and both have apparently recognized that there could not be, in the general interests of Canada, a uniform condition, and there must therefore be various degrees of tariff to carry on the various industries in all lines, more or less. The man who wants to establish a business in Canada, if he does so without going to the government and getting the government to agree that there should be a tariff of, say, ten per cent, is in free trade. It does not follow it would be in the best interest of Canada that such an establishment should grow up in Canada, that such an industry should not begin in Canada until such tariff should be agreed upon, and yet if he comes and makes a statement to get a ten per cent tariff, everything he states will have to be made public, while another man already enjoying a 25 to 40 per cent tariff can come to the government and suggest that it should not be changed and not a word of his statement would be made public. I appeal to members if it is not absolutely impossible, in view of the conditions under which we labour, to lay down a principle which can be carried out in practice and made to apply with reason and fairness to the different people. Then, further, the government of Canada have no power to find out the cost of things except in Canada. They cannot go to the different countries which export goods to Canada and learn from manufacturers there what it costs them for the raw material for the different lines, and what it costs for the labour for the different machines, what a yard of cotton, or woollen, would cost them.

Hon. Mr. WATSON—Why not ?

Hon. Sir LYMAN JONES—Because they have no power outside Canada.

Hon. Mr. WATSON—They can collect information.

Hon. Sir LYMAN JONES—They can collect it, but cannot compel anybody to come and give information. When they are importing goods into Canada, the Customs Department may ask them the cost of production and so on, to ascertain whether it corresponds with the invoice price; but, the commissioners cannot go into any foreign country, and obtain information that would give Canadians the advantage which, under this Act, might be given to any manufacturer in the world, thus placing our manufacturers under a disadvantage, which no one desires. This country wishes to have the tariff so framed as to give to the people of Canada such protection as is needed to carry on the affairs of the country, and no more. The tariff should be so levied as not to bear unduly on any particular class of the people of Canada. The late government—and so far as I know, all governments in the past—have undertaken, through the members of the government itself, to get the information needed to enable them to come to such conclusion as they thought would be right in the framing of their tariff. What difference is there between that principle and the principle that the government of the day propose ? Instead of their going individually into the various avenues of trade and commerce, from one end of the

country to the other, and getting that information first hand, they propose, as the work is very heavy and difficult, and takes a good deal of time, to have the commission obtain it, and submit it to them. That is the only difference. Members of the late government, Messrs. Fielding, Paterson, Brodeur, and probably one or two others, from time to time went from one end of Canada to the other, meeting the various interests in all the provinces, so far as I recollect, or substantially so, and got at first hand what was needed. That took a long time. It is now proposed that it should be obtained through the commission, who will bring reliable information to the government that will warrant them in making a tariff such as they suggest I submit that the greatest care is necessary in the taking of this evidence, either directly or by a commission, and if the evidence becomes public it will put Canadian manufacturers at a disadvantage with each other, and particularly with the competition that comes from outside countries. It is a well known fact that in the principal lines of business in Canada competition from abroad is very keen. In some important lines in this country the larger part of the business in Canada is done by foreigners, by people who import the goods. No one believes that that is in the best interests of Canada, if we could produce them in the country at a price not exceeding the price which we have to pay for them and bring them in. Every one believes that if we could have a great consuming public in Canada, to use the larger portion of the products of Canada, that would be materially in our interests, and I am sure no one intends to do what will harm any interest in Canada. Sometimes people get in their minds that conditions exist that are unfavourable to certain existing situations, or certain classes, if I may use that word in the sense in which I intend it, different peoples of the country. In so far as the government need the information to enable them to know what to do, they ought to have it, but it ought not to be made public, because it will inevitably be to the detriment of the general people of Canada, and especially will it be so to the successful institutions of Canada, and we must all bear in mind that one successful institution is worth fifty unsuccessful institutions to any country.

Hon. Mr. TAYLOR—I fully agree with every word which has dropped from the hon. gentleman from Toronto. One of the great difficulties with manufacturing in Canada is that what is one man's raw material is another man's manufactured product. I am simply acquainted with the carriage business, having been interested in it some thirty odd years. Every person is not acquainted with the fact that the carriage maker is simply assembling the parts of another manufacturer. We have to go to 68 different manufacturers in Canada to obtain our supplies.

Hon. Mr. CAMPBELL—Why does the company not make them?

Hon. Mr. TAYLOR—Because there is no institution in the country big enough to make them. I have got down a few items in regard to the carriage business. We have to go to the carpet manufacturer to buy the carpet to put in the bottom of the carriage, and we have to go outside to get the cushions for the sleighs. Could a carriage manufacturer run a carpet factory? We have to go to the oilcloth manufacturer to buy oilcloth, and to the India rubber manufacturer to get the rubber. We must go to the leather manufacturer to purchase the leather for the top of the carriage. We go to the spring manufacturer to buy the springs. What carriage manufacturer could start a spring factory to make his own springs, and be successful? We must go to the axle manufacturers to obtain the axles, and to the wheel manufacturer to obtain the wheels, to the clip manufacturer to get our clips, to the screw manufacturer to buy the screws, to the bolt manufacturer for the bolts, and to the nut manufacturer, the paint manufacturer, the oil manufacturer, the varnish manufacturer, the sand-paper manufacturer, to obtain these different articles. I could name 68 different articles which enter into the construction of a carriage which we must obtain outside of our factory. True, the manufacturer makes the body of the carriage of wood. Some of the wood is import-

ed from foreign countries, and some of it is not. We have to go to the shaft manufacturer to obtain the shaft. It is the same with the Massey-Harris Company. There are fifty articles which go into the manufactured article which they do not manufacture, and they are a big institution. The carriage-maker's manufactured article is made from raw materials which are the manufactured product of some 68 other industries in the country. So that in framing a tariff to give protection to all the industries that go into the manufacture of a carriage, hon. gentlemen can see how many trades are affected. All these articles are being now produced in the country, but it requires a large consuming population. No farmer can buy a carriage cheaper in the United States of the same quality than the farmers buy them here. That has been proven time and again. There are the lamps, the whip-sockets, the steps used to get into the carriage. What manufacturer could have a plant big enough to make all these articles. I have quoted from a list of 68 different articles that we have to buy to complete a carriage, and we are turning out one carriage every ten minutes supplying the country from the Atlantic to the Pacific, and exporting in addition to that. Is it not a benefit to the town to have 400 men there turning out these carriages and selling them to farmers of the country, who are selling their produce to the people employed? It will require a great deal of investigation by this commission to ascertain just what protection shall be given to these different industries which have been built up in Canada.

Hon. Mr. POWER—I wish to say a word in reply to my hon. friend from Toronto (Hon. Sir Lyman Jones). My observations were confined to the sub-clauses before the committee. The hon. gentleman from Toronto did not confine himself to that, but went into a disquisition on the tariff generally. He gave us a good deal of useful information, but contented himself with saying that it was not desirable that the details of the business of a given company should be made public. I say that when the hon. gentleman's firm undertake to sell farm implements in Australia, South America, or Russia, or any of the other numerous places where they do sell, the people to whom they sell will not make any rigid inquiry into the details which are made known by this tariff commission, if they should be made known. They will say, 'The Massey-Harris Company of Canada manufacture a good article, as good as any other company in the world, and they sell it a little cheaper than any other company.'

Hon. Sir LYMAN JONES—No, they sell it a little dearer than any other company in the world, because it is better.

Hon. Mr. POWER—Then it must be a good deal better. The fact that the tariff commission here has learned some of the particulars of the way in which the company do their business, will not affect, in the slightest degree, the sale of the goods of the company in other countries, and I am surprised that a gentleman of the astuteness of the hon. gentleman from Toronto should undertake to influence the minds of this Senate by using such an argument as that. There is no harm in talking about the Massey-Harris Company, and nothing indelicate about it, because it is a well-known and most successful company, and a company which, I suppose, does not object to being advertised, even in the Senate. He told us that the company never looked for anything, and I gathered that they never proposed to look for anything.

Hon. Sir LYMAN JONES—From what did the hon. gentleman gather that?

Hon. Mr. POWER—From the observations of the hon. gentleman.

Hon. Sir LYMAN JONES—I said we never had.

Hon. Mr. POWER—The hon. gentleman said he never went to the Conservative or Liberal governments to ask for anything. Does he mean to say he will go to a Conservative government to ask for anything?

Hon. Sir LYMAN JONES—I do not want to be misunderstood, and I did not want to be misunderstood when addressing the House; therefore I said I had never gone to any government and asked for an increase of tariff. I thought it was a fair, plain statement to make to the House. I

want to say one word in reply to the statement of the hon. gentleman, that other countries will not be interested in this commission. Let me just refer to the situation in Australia, and if the hon. gentleman knew anything about the business he would know that what he said was unfair in that regard.

Hon. Mr. POWER—The hon. gentleman undertook to say that this tariff commission could not get information as to the cost of production in other countries. How does it happen that in the United States Mr. Taft's commissioners are appointed largely for the express purpose of finding out what it costs to produce goods in other countries; so that having ascertained that fact, the commission will be in a position to say how much protection the United States manufacturer requires? Is what is true of the United States manufacturer not true of the Canadian manufacturer? Our commission is going to cost enough, and can it not ascertain, just as well as Mr. Taft's commission, the cost of manufacturing the various articles in other countries? I think that is what the commissioners are there for. If they are not going to give us any information for which they have to look outside of Canada. I do not think there is any object in appointing a commission.

Hon. Mr. LOUGHEED—I do not think that statement was made.

Hon. Mr. POWER—I have no objection to the commission, if we are going to have tariff changes. I think the commission is as good a way as any.

Hon. Mr. WATSON—It seems to me that if the evidence to be obtained by the commission is not made public, they are not going to perform the duties for which they were appointed. I do not take for granted that, simply because a manufacturer does not ask for increased protection, as put by the hon. senator from Toronto (Hon. Sir Lyman Jones) his business should not be investigated. His suggestion was that if a man was willing to 'stand pat' and not ask increased protection, the commission should not inquire into his business. I trust this commission is appointed to inquire into manufacturing industries which have undue protection, and that the evidence in these cases should be made public. The hon. gentleman from Toronto (Hon. Sir Lyman Jones) has told us that for the last twenty years he has never asked any government for increased protection. He did not tell us that he never went to a government and asked them to continue the protection they already had; because twenty years ago his company enjoyed an average protection of 35 per cent. It has been cut in two since, and reduced to 17½ per cent. I can understand the statement that he did not ask for increased protection, but he was very much interested in the protection they enjoyed not being taken off. Twenty years ago we had a very high protective tariff, which was a protection for the manufacturers existing in Canada to such an extent that it kept the United States manufacturers out of the market, and the result was no revenue. This country sailed along for years with large deficits, although the expenses were only thirty or forty million dollars a year. Tariffs were changed, and the result is that now we have an immense surplus in the revenue, with no more taxation than we had twenty years ago. I trust this commission is not only to ascertain what protection should be given to any new industry, but that they should inquire into the existing industries, and see if they are unduly protected. We have the cement merger, which should be inquired into. I do not think the cement company will ask for increased protection on cement. But the fact that they do not ask increased protection is no reason why we should not inquire as to the profits they are making out of cement. If the commission does not inquire into these matters it will be of very little use to the great mass of the people of Canada. The hon. gentleman says the commission cannot possibly obtain information in a foreign country.

Hon. Sir LYMAN JONES—I said they had no power to obtain information from abroad.

Hon. Mr. WATSON—They have no power to go outside of Canada and examine peo-

ple under oath, but they have power, so far as the purposes of the commission are concerned. If they had not that power, I should like to ask how it is the Customs Department sent a commission to the United States to ascertain the cost of goods which entered into competition with the goods of the hon. gentleman's firm in the Northwest—to inquire as to the cost of binders, and what they sold for—with the result that a duty was placed on the binder which came into competition with the article sold by the Massey-Harris Company in the Northwest. The duty on the binder was raised a few years ago, as the result of that investigation. The House knows very well that a very important clause was introduced into the legislation of Canada a few years ago, known as the 'dumping clause.' If it could be shown that United States manufacturers were shipping goods to Canada and selling them below cost, the clause would be brought into operation, and such sales prevented.

Hon. Sir MACKENZIE BOWELL—Not below cost, but below the price at which the article was sold in the country from which it was imported.

Hon. Mr. WATSON—Yes, and below cost. If there were a surplus of goods and they were to be sacrificed at less than cost, this 'dumping clause,' would apply.

Hon. Sir MACKENZIE BOWELL—Not necessarily less than cost. It applies equally if the goods are sold in this country at a price lower than the selling price in the country from which they come.

Hon. Mr. WATSON—If they are sold below the retail price in the United States, but these goods might be sold at less than cost price.

Hon. Sir MACKENZIE BOWELL—That might be. That has been done.

Hon. Mr. WATSON—But the idea was that the Canadian manufacturer should not be subject to competition from goods which were brought in to be slaughtered. That information was secured, no doubt, by the commission appointed by the Customs Department, and with the object of keeping out those very goods that were coming into unfair competition with the Canadian manufacturer.

Now, our hon. friend from Gananoque (Hon. Mr. Taylor) has gone into a detailed statement as to the production of carriages, or sleighs. He says there are some sixty-eight different firms or institutions interested in the manufacture of that carriage, and whose goods he has to buy. There is no question about that. He has also told of the difficulty we have in this whole system of a protective tariff; he has told us that what is one man's manufactured goods is another man's raw material. That is one of the great troubles in drawing a tariff. The moment you protect an industry by a protective tariff you have difficulty in arranging that tariff, for the reason that you do not give a manufacturer an opportunity of importing raw material for his industry without taxing him unduly. I am inclined to think that there is one institution that the hon. gentleman forgot. It is an institution that he is probably more interested in, and has been the means of causing greater success to the manufacturer of carriages than any other institution in Canada that he has referred to, and that institution is the government that gives him protection. The institution that furnishes the protection is probably the most profitable part of the whole industry. I certainly think that this commission should be appointed for the purpose of securing evidence and of laying that evidence before parliament, and that it should be made public. I cannot see that any man who is doing a legitimate business, and is protected, should object to the public knowing exactly how he is doing his business and what his profits are. There is no question that during the last few years, under a government that was supposed to be a low tariff government, mergers have been created in Canada and that interest and dividends have been paid on a great deal of watered stock. What will happen when a high protective government is in power? They will still further encourage the growth of these mergers in Canada. In my opinion, every publicity should be given to any industry that is protected in Canada in order that legislation may be framed and placed on the

statute-books to govern our industries, not only in the interests of the manufacturers, but in the interests of the great mass of the people of this country.

Hon. Mr. LOUGHEED—I would suggest that the committee should rise, report progress, and ask leave to sit again, so as to permit of our completing the order paper.

Hon. Mr. YOUNG, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again on Tuesday next.

THE LOYAL ORDER OF MOOSE BILL.
MOTION TO SUSPEND RULES.

The Orders of the Day being called.

Consideration of the amendments made by the Standing Committee on Banking and Commerce to (Bill P 2), 'An Act to incorporate the Grand Lodge of the Loyal Order of Moose in the Dominion of Canada.'

Hon. Mr. WATSON, in the absence of Hon. Mr. Gibson, moved that rules 24a and 24b and 61 and 129 be suspended as regards this Bill.

Hon. Mr. CAMPBELL—No, we cannot agree to that.

Hon. Mr. WATSON—I think the hon. gentleman is making a mistake.

Hon. Mr. CAMPBELL—I do not think so.

The Senate adjourned until Monday next at three o'clock.

THE SENATE.

MONDAY, March 18, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

Hon. Mr. CLORAN—I have a sad duty to discharge, and I think every hon. member present, as well as those that are at the funeral, will join with me in the performance of that duty. I ask this hon. House, in view of our sad and sudden bereavement in the loss of one of our esteemed colleagues, the Hon. William Ross, to rise during pleasure, while the remains of the hon. member are being taken from the city he loved so well to be removed to that land which he probably loved better. Several of our colleagues are at this moment at the funeral, and I desire to give those who are now present here an opportunity to attend also until the train leaves the central station.

The motion was agreed to, and the House adjourned during pleasure.

At 3.45 p.m., the House was resumed.

CLOSE SEASON FOR WHALES.
INQUIRY.

Hon. Mr. MACDONALD (British Columbia) inquired:

If the attention of the government has been directed to that part of chapter 45 of the statutes of 1906 relating to whale fishing.

That no time is prescribed for a close season when whales should not be killed, and no restrictions as to the number of whales killed and landed by the company or companies licensed to manufacture oil and other products.

He said: My object in bringing this matter to the attention of the government is to preserve this great industry. There is a Bill before parliament at the present time with reference to the fishing industry, and in my opinion there should be a clause fixing the close season for whales, in order to prevent their wholesale slaughter. A certain number only should be allowed to be killed. The government do not charge a license for fishing, but they charge a license for the factory. I trust the government will look into this very important industry.

Hon. Mr. LOUGHEED—I cannot speak with any authority upon this subject, not being familiar with the whaling industry, except to say, from general knowledge, it is becoming a very important industry in Canada. I quite appreciate the value of the remarks which my hon. friend has made, and shall be very glad to suggest to the government the necessity of taking his suggestion under consideration.

THE JENKINS DIVORCE BILL.
MOTION TO SUSPEND RULES.

Hon. Mr. DE VEBER moved:

That rules 24a, 24b and 63 be suspended in so far as they relate to Bill (E 3), 'An Act

for the relief of William Alexander Hunt Jenkins.

Hon. Mr. CLORAN—What is the object of the suspension of the rules?

Hon. Mr. DE VEBER—From year to year Bills have passed this House and gone to the other House too late in the session to be passed. The people who make application for divorce have to bring their witnesses to Ottawa generally at great expense, and unless the Bill is passed that evidence is no use for the next year. I am simply making this motion in order that this Bill may not be hung up.

Hon. Mr. CLORAN—It is a matter of expense to the applicant, but of no consequence to the morals of the country.

The motion was agreed to, on division.

THE LATE SENATOR ROSS.

Rt. Hon. Sir RICHARD CARTWRIGHT —Before the Orders of the Day are called, I desire to direct attention to the loss we have recently sustained by the somewhat sudden and unexpected decease of our hon. friend from Halifax. Those of you who sat in the House with Hon. William Ross will not require to be told that he was a man of very considerable force of character, and that he had been at various times, I might say, rather conspicuous in the local politics of his own province. He was, I think, one of the very last survivors of the Mackenzie cabinet formed in 1873, and if I am not mistaken he was amongst the oldest Privy Councillors now living in Canada. I observe that in the account of his life in our 'Parliamentary Companion', the late Senator Ross, for a considerable period before he entered public life in the Dominion, represented his own county in the legislature of his province, and everybody who remembers anything of the history of those times knows that, although politics did run pretty high in Nova Scotia, the late Senator Ross had the almost unique distinction of having been elected three times in succession by acclamation, a very convincing proof of the high esteem in which he was held in the region where he was best known. Our late friend, as everybody knows, was a very fine specimen of that rugged, indomitable genius which marks the Scotch character in many ways, and those who knew him know that he was a stout enemy, and also a staunch friend.

Hon. Mr. CLORAN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am of opinion that in his past history he may have been once or twice rather hardly dealt with by his political opponents, but of that we will say no more. He died at a very advanced period of life; I think he was 87 on the very day he died.

Hon. Mr. POWER—He would be 87 day after to-morrow.

Rt. Hon. Sir RICHARD CARTWRIGHT —At any rate, he died at a very advanced period of life, and his death, though sudden, can hardly be said to have been unexpected. I am sure my hon. friends opposite will join with me in regretting the loss we have sustained, remembering that Senator Ross was always to be found in his place and always ready to announce his opinions, whatever they might be, with a pleasing frankness and precision, which did considerable credit to his determination and character.

Hon. Mr. LOUGHEED—I am sure that hon. gentlemen on this side of the House will join in the expressions of regret to which my right hon. friend has given utterance touching the death of the late Senator Ross. The grim reaper has been exceedingly busy since the last session of parliament amongst the representation from Nova Scotia. This is the fourth death which has taken place among the representatives of that important province since parliament last assembled. The late Senator Ross had lived to a ripe old age. He had passed the allotted span of life by nearly a score of years. His life was rich in years and rich in political events. As long ago as 1859 he was elected to the parliament of Nova Scotia, and seemingly hod been actively identified with the public life of Canada since that early date. I quite join with what my right hon. friend has said as to the very great tribute of regard which was paid to the senator in Nova Scotia, through his being elected by acclamation during

three successive terms of parliament—a tribute very seldom paid to a public man. I noticed that he was a member of the administration of the late Mr. Mackenzie, and had the honour of introducing the Bill for the establishment of the Royal Military College at Kingston, an institution which has made itself famous throughout the empire, and of which we are justly proud. Although he came into this Senate late in life, yet hon. gentlemen will agree with me when I say that no man showed a greater desire to interest himself in the activities of this Chamber than did the late Senator Ross during his lifetime. We certainly appreciated the very great interest which he took in the public business transacted in this chamber. I am sure hon. gentlemen in this chamber will all contribute their deep sympathy in the sorrow which his numerous family has been called upon to sustain; and we likewise desire to express our acknowledgment at this time of the valuable services which the late senator had rendered during his lifetime to his native country.

Hon. Mr. CLORAN—As a desk mate of the late senator, I feel compelled to add a tribute to his memory. For the past seven years I have known Senator Ross. He was my neighbour; my desk mate. History records the services he rendered to his country during thirty or forty years, both in provincial circles and in the broader lines of federal politics. I have only to speak of him as I know him personally, and I may say to this honourable House that in contact with the hon. gentleman I always found an inspiration to do better than I was doing. I found in Senator Ross a man who was conscientious to a most delicate degree; a man who wanted to be fair, and who was fair; a man who wanted to be just, and was just; a man who wanted to be charitable, and was charitable; a man who wanted to be sociable, and was sociable. I observed him, during the seven years that he was a member of this House, never to act or to speak with any ulterior or hidden motive, never with any self interest attached to the measures which he proposed, or endorsed, or accepted, or approved of. He was a model to me as far as that line of public conduct goes. The hon. Mr. Ross was old; he was just in his old age; he was charitable in his old age; and he was good. Not later than two weeks ago, when one of the severest storms that we have had this winter in Canada, was blowing he left his desk, where the flowers are this afternoon, to go to New York because he had given his word that he would attend a banquet of his fellow countrymen in that city. I told him he would be snow-bound, and advised him not to go. His reply was: 'My word is given and I am going', and he took the train for New York. Two weeks ago he was invited to a political banquet that was given to celebrate the victory of the return of the Hon. Mr. Graham. He remained at that banquet until the wee hours of the morning. He was the life of that banquet of brilliant men, and sang some of his Gaelic songs. The next function he attended was similar to that which we had the sad duty of attending to-day, the funeral of Senator Miller, a man whom he did not love, and it was probably at that funeral that he got a chill which finally resulted in his death. Last Friday he was sitting here in this House, but he told me he was getting feeble. I happened to be addressing the House on a certain question that he was interested in, and he had to leave the Chamber. When he came back he said to me: 'Do not for a minute imagine that it was out of disrespect, or want of consideration, that I left the Chamber; I had to because I was getting weak.' You can understand the feelings I had for a man of that kind, who, at the age of 88 years, could fill his walk in life in regard to social and political events and also his senatorial duties. He was a man of wisdom, justice and charity. He has departed from the land he loved best to a happier land.

THE QUEBEC BRIDGE.

INQUIRY.

Hon. Mr. CHOQUETTE—I should like to inquire from the leader of the government as to whether there is any foundation for a rumour that is going around in the city of Quebec that the bridge is in danger. On Saturday a story was published in a Montreal newspaper that the engineer in charge of the bridge had expressed the

opinion that, according to the specifications and contract, the bridge was not strong enough, and that there would likely be another collapse. I should like to know whether the government has had any notice to that effect from the engineers, or if there has been any disagreement among them.

Hon. Mr. LOUGHEED—I cannot give my hon. friend any information on the subject. I have no knowledge whatever upon the matter to which he makes allusion. In fact, this is the first time I have heard of such a rumour.

Hon. Mr. CHOQUETTE—I am very glad to hear that.

DELAYED RETURNS.

Hon. Mr. TALBOT—I would like to inquire of the leader of the House if he has the return which I asked for on the 15th of February, relating to the quantity of wheat of different grades stored in the terminal elevators at Fort William and Port Arthur.

Hon. Mr. BELCOURT—At the same time the hon. the leader of the House might make inquiry as to the return asked for on the 5th December, regarding steamship companies carrying mails between England and Canada. I do not think that the return has been brought down, and it was asked for nearly three months ago.

THIRD READINGS.

Bill (9) An Act to amend the Criminal Code.—Hon. Mr. Lougheed.

Bill (O 2) An Act respecting the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.—Hon. Mr. Power.

Bill (H 2) An Act to incorporate The Guarantee Life Insurance Company of Canada.—Hon. Mr. Gibson.

Bill (23) An Act respecting the Harbour of Hamilton.—Hon. Mr. Gibson.

Bill (83) An Act respecting the Saskatchewan Power Company.—Hon. Mr. Young.

Bill (P 2) An Act to incorporate the Grand Lodge of the Loyal Order of Moose in the Dominion of Canada.—Hon. Mr Power.

Bill (35) An Act respecting the Architectural Institute of Canada, and to change its name to The Royal Architectural Institute of Canada.—Hon. Sir Lyman Jones.

Bill (70) An Act to incorporate the Roman Catholic Episcopal Corporation of Keewatin.—Hon. Mr. LaRivière.

BRITISH AMERICAN TRUST COMPANY BILL.

REFERRED BACK TO COMMITTEE.

Hon. Mr. POWER, in the absence of Hon. Sir Richard Scott, moved the third reading of Bill (T 2) An Act to incorporate the British American Trust Company.

Hon. Mr. BELCOURT—Some gentleman who was present at the Committee on Banking and Commerce this morning has suggested to me that there should be, in this Bill, a clause similar to the one to be found in several similar Bills of the province of Ontario. The Ontario Companies' Act provides as follows:

(1) Where a trust company is authorized to execute the office of executor, administrator, trustee, receiver, liquidator, assignee, guardian, or committee, and the Lieutenant-Governor in Council approves of such company being accepted as a trust company for the purpose of the High Court, every court or judge having authority to appoint such an officer, may, with the consent of the company, appoint such company to exercise any of such offices in respect of any estate or person under the authority of such court or judge, or may grant to such company probate of any will in which such company is named as an executor, but no company which has issued or has authority to issue debentures or debenture stock, or which has received or has authority to receive, desposits, shall be approved.

I desire to have inserted the words 'Or has authority to issue debentures, or debenture stock, or which has received or has authority to receive deposits,' so as to comply with the Ontario law. I therefore move that the Bill be referred back to the committee to insert those words

The motion was agreed to.

IMPROVEMENT OF HIGHWAYS BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (77), An Act to encourage and assist the Improvement of Highways.

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend, of course, is going to give us some explanation?

Hon. Mr. LOUGHEED—Inasmuch as some explanation is asked as to this Bill, I desire to say that it is somewhat meagre in the matter of details, and necessarily so. The general principle, or policy, of the Bill is simply this, that the federal government is anxious to co-operate with the provinces in the construction of main highways. They may be of a provincial order, or of an interprovincial character. It is, therefore, proposed that generous assistance should be given by the Dominion government to the provinces, for the carrying out of this very laudable undertaking, provided always that the provinces will co-operate with the federal government in carrying out such a scheme, or undertaking, as may be mutually agreed upon. The departure is somewhat new. I might say, and I think I am justified in saying, that the relations between the provinces of Canada and the central government are drawing very much closer together than they were for some years after confederation. It is being recognized that movements which are in the interests of the provinces are likewise in the interests of the Dominion as a whole. The question of transportation has occupied a great deal of attention for years past. In fact, since confederation it has been one of the main subjects to which the central government has been called upon to direct its attention. Very generous grants have been made from time to time by the Dominion government towards the construction of highways by water, and by land. Of late years the provinces have directed more or less attention to carrying out provincial schemes of transportation, but, owing to the interchange of traffic, and the relations between the different parts of Canada, it has become evident that it is impossible to carry out any isolated scheme of transportation, confining it within the boundaries of any one province. Therefore, it should not be an unexpected proposal that the federal government makes to the provinces to co-operate in the building of highways. I venture to say that there is no particular class of public work in the Dominion of Canada, either provincial or federal, where so little energy and so little enterprise has been shown as in the construction of rural highways.

I think I may venture safely to say that for many years we have been most backward in taking up this important question. This session we have been discussing in this Chamber the reason of the diminution of population in the provinces, particularly in the rural districts. We have been discussing the important problem of how to get the people back to the land. I need not say to hon. gentlemen that, except we make the country sufficiently attractive, it is impossible both to keep the people on the land and to get them back thereto. Until the automobile came to stay as a factor in civilization, the question of roadbuilding seemed to remain in abeyance. But the man in the machine, and the aggregation of capital behind the machine, wakened up the public of Canada to the importance of solving this very important problem of improving our highways. There seemed to be, for a time, more or less conflict between the advocates of the motor road and the advocates of the ordinary highway for rural and urban purposes. They did not require long to discover the fact that what was in the interest of the one was in the interest of the other. For many years past the farmer was more directly interested in the building of roads than any other individual in the community. He seemed to lack organized movement, and that co-operative action so absolutely necessary for the carrying out large enterprises. The farmer dreaded taxation. The municipal corporation dreaded to impose taxation for the construction of highways. Finally the provinces were induced to take it up but the question of taxation seemed to be so formidable that the provinces, for a long period, hesitated about carrying out any well conceived plan of public road building. Of late years, with all these factors brought to bear upon

awakening public opinion as to the necessity of road building, we find the provinces now vieing with each other as to which will adopt the most forward movement in the construction of highways. The attention of the federal government, as I have said, has for many years been directed to the improvement of transportation by way of railways, canals and otherwise, and it was thought high time that their attention should be directed to this very important problem. Consequently, at the last general election the party now administering the affairs of Canada made it one of the cardinal planks of their platform, and said that the question of public highways would receive the attention of that party should the confidence of the electors be expressed in their favour. Upon that taking place, they brought down to parliament this session the Bill which is now before us for consideration and which, I observe, met with a considerable amount of hostile criticism from the opposition in the House of Commons. Provincial factions seem to be introduced or imported into the question. I cannot appreciate wherein this can, in any sense, be regarded as an invasion of provincial rights, or an aggression, to any degree, upon the constitutional rights which pertain to the provinces. It seems to me high time that the provinces and the central government of Canada should get away from these technical lines, looking apprehensively upon the one invading the sphere of the other, particularly with reference to these questions which have in view the development of the public interests, which will be equally advantageous to both. I said a few minutes ago that the Bill will probably be subject to the criticism that it is meagre in its details, but when I point out that it simply involves a question of policy, it will then be understood why the details have not been furnished. The government is desirous of placing upon the statute-book a general proposition. They declare the policy that the federal government is prepared to cooperate with the provinces in carrying out some comprehensive scheme of road building throughout this Dominion at large. It proposes that an annual grant shall be made by parliament, and that the money shall be distributed on the basis of population throughout the provinces of Canada. As I have said, the scheme must be worked out between the federal government and the provinces. It would be looked upon as probably an impertinence on the part of the Dominion government if an elaborate scheme were brought down, and the provinces might very well challenge the right of the federal government to crystallize into statutory law a scheme entirely irrespective of their wishes. It must appear to every hon. gentleman for politic reasons, that it is very much more desirable that the provincial government and the federal governments should come together and work out between them a scheme for the carrying out of this very laudable object in such a way as will appeal to the common sense and to the good reason of both governments.

Hon. Mr. DAVID—That provision is not in the Bill.

Hon. Mr. LOUGHEED—No, but that is what it is proposed to do. It is a matter of detail, but the central government propose that whatever fund is appropriated by parliament for this purpose should be distributed on the basis of population. I think that is a very reasonable distribution to make of such a fund, and for such a purpose. Any other distribution, as hon. gentleman can appreciate, would scarcely receive the support of the various provinces.

Hon. Mr. THOMPSON—In distributing the money between the provinces, based on population, is it the intention that it shall be made at one and the same time? Would the money be paid over to the provinces at the same time?

Hon. Mr. LOUGHEED—That would be a matter of detail. There are two methods proposed in the Bill. One proposes that a scheme of road-building shall be jointly carried out, and the other is, under clause 6 of the Bill, that the Governor in Council may approach a province, and say, 'Should

you not be content to join with us in the building of any particular road, upon consent being given we are prepared to go on and construct the highway in accordance with whatever arrangements may be entered into.' We therefore have the two propositions. Until the provinces take up the question, and elaborate a scheme that will be mutually satisfactory to their own government and the central government, it will be impossible to put the machinery in motion. I, however, did point out that the relations between the central government and the provinces have, for some years, been of so agreeable a character as to permit this being done. We come together for negotiation almost every year. We find the provinces meeting with the central government and discussing various problems which are of mutual interest to them, and it is thought that by such meetings machinery may be provided and details worked out, and a plan evolved which will appeal to the good sense of all parties concerned. It was with that in view that this Bill was couched in the general terms which I have pointed out.

Hon. Mr. CLORAN—Does the hon. gentleman consider this a money bill?

Rt. Hon. Sir RICHARD CARTWRIGHT—My excellent friend opposite has skated over some very thin ice with commendable agility.

Hon. Mr. CLORAN—Here, here; that is what I was thinking.

Rt. Hon. Sir RICHARD CARTWRIGHT—Now, I do not, in the very slightest degree dispute his major proposition, that good roads are a right good thing, a very desirable thing, a thing we would all like to get, a thing that would probably benefit a great many of us individually, as well as collectively. But I will remind him that even good roads may be too dearly purchased under certain conditions. There is such a thing as buying gold too dear. There is such a thing as buying good roads too dear, particularly if it were to involve, as I shall presently show to my hon. friend that it may involve, very serious inroads indeed on the whole constitution of this country. My hon. friend argues—and I am not disposed to dispute that either—that this scheme is popular, and is likely to be received with favour by a great many persons scattered all over the Dominion. That is perfectly true. It is a popular scheme; and I may remind my hon. friend, also, that a great many other schemes are popular to-day, but I doubt if he would support them if they were brought before him. I have not the slightest doubt that it would be a most popular scheme with a very large portion of the people of this community if parliament were to declare that from and after this time all wage-earners should be paid a minimum wage of, let us say, $2 per diem, whether they were employed or unemployed. I have not the slightest doubt, in fact I know of my own experience, that there have been many occasions on which it would have been a very popular thing to introduce an unlimited issue of paper money, although it is a scheme that I think my hon. friend would hardly recommend. I have not the slightest doubt that a very large measure of popular support could be obtained for a Bill which would deal with the multi-millionaires who are now springing up among us that, if parliament should fix a minimum wage for all wage earners, there should be a maximum wage for the capitalist, as well as a minimum wage for the labourer, which the capitalist should not be allowed to exceed. All these things, I do not doubt, would be exceedingly popular; and I can say this to him, that particularly where the multi-millionaires have acquired their money through the aid of a protective system, I am not prepared to say that there would not be a great deal of rough justice in a scheme which, directly or indirectly, should compel them to return to the public chest a very large proportion of the moneys they have acquired. Now there is one point which my hon. friend made on which I beg to differ from him. He says that they have a mandate for this particular matter. It

may be perfectly true that this question of good roads was alluded to on several occasions during the last election. A great many things were alluded to during that contest. If I am correctly informed, when the present leader of the government went out westward he declared, almost in so many words, that if they would only let reciprocity alone he would give them everything—everything that they chose to ask for, or desired, or words very nearly to that effect. But I tell my hon. friend that, so far from having a distinct mandate from the people to bring in a measure of this kind, in a very great many constituencies, and in the major provinces, this question was hardly alluded to at all; the issues were totally different, and the elections were fought on those issues. This scheme was alluded to, if at all, as a very subsidiary matter, and I do not believe that it carried a single constituency one way or the other. Now, hon. gentlemen, this question is a peculiar question, one in which the House of Commons are hardly free agents. I know the House of Commons well, having been a member of that House for more years almost than I care to remember, and I know that on a question of this kind, where every man is aware that there may be several hundreds of people in his particular constituency who are interested in any special question, there are very few members who will dare to imperil their election by advocating their convictions too vigorously in the face of a popular wave. The other day one member of the House of Commons proposed that there should be a ballot vote occasionally taken in the House of Commons; it did not state on what class of questions, but I dare say questions of this particular class were in his mind. If a ballot vote had been taken, I doubt exceedingly whether there would have been anything like the apparent unanimity that seemed to prevail upon this question in that body. Now, our system has provided two safeguards for dealing with that particular danger. One is the well known safeguard that, under no circumstances, shall a member of the House of Commons, or the Senate, be allowed to introduce a Bill for a money grant. That, must be done on a message from the Crown. That is not a perfect safeguard, but still it is, to a great extent, a safeguard against the undue pressure which is apt to be brought upon the public body in the case of a popular movement like the one my hon. friend has just described. There is another safeguard which, on this present occasion, may perhaps be invoked with more success than the first one, and that is the safeguard of an upper Chamber which is not exposed to the same pressure as the House of Commons is, and which may be supposed to be able to take a larger and more impartial view of these questions that it is possible for a popular assembly to do. Now, I tell my hon. friend that no graver proposition has ever been advanced than that which he has now submitted. It is not merely a new departure, but it is a complete reversal of those fundamental principles on which the present confederation was founded; and I think my hon. friend ought to have explained to this body—what was very imperfectly done in the House of Commons—all that is involved and the consequences that are likely to follow from this measure if it should become law. There was one point on which my hon. friend had nothing to say, and that was the total amount of expenditure which might be involved in this proposition. That expenditure may be extremely large. I have noticed in the discussions that took place that the Ontario legislature talks already of devoting $5,000,000 to this purpose. Another legislature talks of devoting $10,000,000, and other legislatures in proportion. There is no limit, there is no bound to the expenditure which may be incurred under this measure at the caprice of the government if they so see fit, and the language used here is, to my mind, of an extremely suspicious character as regards what the government proposes to do.

In clause 3 they declare that the government may, in any year, grant to any province, in aid of the improvement of existing highways and bridges and so forth, a subsidy not exceeding such sum as may be voted by parliament for that purpose. Was ever before such an unlimited power asked for or proposed to be vested in any government? What could the government

grant them? It could grant them this: that at any conceivable time, when there was an election going on, either of their own or their friends in the local assembly, they might deluge any particular province with any amount of money with which they could get parliament to entrust them, and every one knows that there is no more insidious or dangerous form of corruption than that of being able to offer the voters of any particular constituency a number of roads in places where they desire to have them, free of charge, at the federal expense. I do not know whether I shall violate propriety by stating that I am told that, in a recent election in which both parties took a great interest, the electors of a certain constituency, not far from here, were told that if they elected the government candidate they would get good roads, and if they did not they would not get roads at all.

Hon. Mr. CLORAN—True.

Rt. Hon. Sir RICHARD CARTWRIGHT—What was done there can be done on a larger scale all over the other provinces of the Dominion. This will open the door to every imaginable sort of demand If you permit the government of the Dominion to come forward and allow its finances to be mixed with the local finances for the purpose of constructing good roads, what is left to the local legislatures which the general parliament may not interfere with? Good roads are a good thing. So is a good education. There is no reason that I can see why the government of Canada, if this Bill be passed, should not, in another session, propose to largely aid and assist in procuring good education for the people of the provinces, or provide a good police, or a good administration of justice, or, for aught I can tell, pay the salaries and indemnities of the members of the local legislatures, and all the members of their government. One is as fair as the other, and one is as just as the other. One is as perfectly inconsistent with the terms of the British North America Act as the other. I regard this measure, I confess, as one of a very dangerous character. It is opposed to our present constitution, both in the spirit and the letter, and as regards the provinces themselves. I say that, as between province and province, it is hopelessly unjust, as I shall explain to my hon. friend later on. Here is a case which, as I have shown, is peculiarly liable to abuse, and the hon. gentleman disregards all safeguards that have ever heretofore been imposed. His colleagues want us to put this money at their absolute disposal, to use when and where they please, in the best way they can conceive to advance their own political interests. I might sum up this measure in brief by declaring that it is bad in principle, worse in detail, and the motive, I believe, to provide a huge fund for corruption, is worst of all. Were I to suggest a short title for the Bill, I would recommend the following—that this should be declared a Bill to make the British North America Act so much waste paper, and to provide a permanent corruption fund for the use of the government of the day. As to the constitutionality of the measure, I say that, if words means anything, if there is sense in the English language, if the English language is capable of conveying a distinct idea, nothing can be plainer or more distinct than the language of the British North America Act, which declares that local works and undertakings shall be absolutely and exclusively under the control of the local governments, and the very exceptions that follow go to show clearly and distinctly how utterly unconstitutional the proposition of my hon. friend is. What are those exceptions? Lines of steam and other ships, lines of steamships between the provinces, and lastly, such works situated within the province which are declared to be for the general advantage of Canada. I know how easily legal gentlemen of experience can drive a coach and four through any Act of parliament that was ever drafted, and I suppose that it would be technically possible for the hon. gentleman to declare all these small roads, wherever they may be, to be works for the general advantage of Canada. Very possibly the courts might sustain that view, but I submit that no greater abuse of the provision could possibly be imagined than declaring local works of that kind to be for the general advantage of Canada.

My hon. friend spoke of the desire of promoting closer relations between the local legislatures and the federal government. I am an older politician than he, and I know what that means. Confederation was initiated for the express purpose of keeping the local legislature and the Dominion legislature apart. What would result if it were otherwise? One of two things, of necessity either the local legislature would become mere donkey engines of the government of the day, or the federal government would have to be converted into a mere machine for the collection of taxes, a thing of the worst possible policy. I can conceive of nothing more opposed to the true principle of representative government than that one body should collect the revenue and another body should have the expending of it. I speak on this subject with some knowledge, as well as with some warmth. I was present when confederation was brought into being. I remember perfectly well when this question of the separation of federal and local finances was under discussion by the men who framed the Confederation Act. I can tell my hon. friend and this House, that if there was one subject more than another on which all these men were agreed, it was that it was a serious defect in our confederation scheme, and a thing they deeply regretted, though one which they could not avoid, that they were obliged to allow the provinces and the Dominion to come into contact in that way. I know what were the opinions of Sir John Rose, Sir Alexander Galt, Sir John Macdonald, Mr. Brown, Sir John Abbott, and Sir Alexander Campbell. All of these men I knew well. With one exception they continued to be my friends until the day of their death. There was not one of these men who did not deplore, in my presence, again and again, the necessity, even in one single point of having federal and provincial finances mixed. I very well remember how Sir Alex. Galt, shortly after confederation was put through in 1867, when it appeard necessary to make some alteration in the financial provisions battled long and manfully, with the object of introducing certain safeguards, which would prevent the departure which was then made from being made a precedent of, and, as he alleged, a permanent injury to confederation. Unhappily, he was not successful. I do not desire to reflect on anybody, but we know from that time to this the relations of the local government with the federal government may be defined as one long howl for better terms. This is the culminating point. Up to this time there has been some little regard shown for the constitution. Now that appears likely to be thrown to the winds altogether. That brings up a certain very disagreeable question, a question which I approach with extreme regret, a question which I would rather not deal with if I could possibly help. I myself had hoped all along that this question might be settled quietly. I had looked forward to the growth of the northwest provinces to bring about a more wholesome condition than has existed for some time back. I regret extremely what I am about to say. I have never hesitated much about expressing my sentiments for fear of anything that my enemies could say or do to me, but I am not ashamed to say that I do regret, if in the memorandum which I propose to lay before you, if I should happen to do anything, or say anything which might give offence to any of my friends in this Chamber, or elsewhere, I have said that it is absolutely impossible that there should be a just distribution between the provinces if one should go outside of the borders of the British North America Act. Everybody knows, who knows anything at all about the financial conditions of Canada, that the disparity of contributions to the revenue made by the several provinces is extremely great, and also that the difference in the expenditures made in the several provinces is likewise extremely great but I doubt if they know to what extent these things have gone. I have here a memorandum on the subject which I venture to say is well worth the attention of the House and country. I am going to show by comparison the receipts and expenditure at the extreme east and extreme west of the Dominion.

It appears from the public accounts that the net revenue received from the maritime

provinces in the year 1910 amounted to $2,580,542 after deducting subsidies and cost of collection.

In the same year the net revenue received from British Columbia was $5,628,113 and from Manitoba $5,332,384, in all a net revenue of $10,960,507.

In 1911 the net revenue from the maritime provinces was slightly under $2,900,000, and the net revenue from Manitoba $7,095,000, and from British Columbia $8,171,000, being a total of $15,236,000 on a population as per census returns of 847,000. The population of the maritime provinces being given at the same time as 937,000.

Apart from the annual expenditure on capital account the outlay for local purposes in the maritime provinces is much in excess of the total net revenues, the estimates for 1911-12 being as follows:

(a) For public works chargeable to income, $4,083,822.

(b) For judiciary and penitentiaries, $250,000.

(c) Allowances for members and Lieut.-Governor, $160,000.

(d) For lighthouses and fisheries and Marine Department generally, estimated $2,000,000.

(e) For deficit in carrying on post office, $250,000.

(f) For steamship subsidies, $600,000, at lowest.

Total, $7,343,822.

It will be noted that no portion of the other charges of government are paid by the maritime provinces. The entire cost of Indians, Militia, Naval Service, Civil Government, and a variety of other services are defrayed solely by the remaining provinces, including interest in the entire national debt of the Dominion.

The net amount per head contributed by the maritime provinces is therefoire as nearly as possible $3 and by Manitoba and British Columbia, $18 per head.

In both cases something may be added for goods imported into Montreal on which duties are collected there, but which are consumed and paid for in the above named provinces, but there is no reason to believe that these would materially affect the proportions as heretofore stated.

I desire to be distinctly understood on this matter. I have not the slighest wish that any addition should be made to the taxation of the maritime provinces. On the contrary, had I had my way, their taxation would have been reduced, and I would desire and we tried to increase their income in the only way in which it could be permanently increased by securing to them the only market which was likely to be a permanent and growing market for their products. If it can be shown that I am in error in this matter, I shall be delighted to make any corrections in the fullest and most public manner, but if these figures, and facts which I have now laid before you are correct and I believe they can be proved to be correct, in substance, then I say distinctly and plainly, to my hon. friend, that by no possible hocus-pocus, by no possible financial jugglery can he go outside the limits of the constitution and make an honest division which shall be just to all the provinces of the Dominion. I said I did not want to increase the taxation of the maritime provinces one straw; and more than that, I admit frankly that in their case, great allowance ought to be made. I know well that Nova Scotia, was dragged into the confederation against her will, and I know that she and the other maritime provinces have had but small share in the general prosperity which the rest of Canada has enjoyed for some years past. I am perfectly willing that the federal government should deal generously in such a case.

I am perfectly prepared for my own part to enter into what may be called a working agreement, or a gentleman's agreement—call it what you will—that everything paid by the maritime provinces should be spent within their limits, on something that may be fairly called for their local advantages. I would be prepared to say also that all the rest of the expense of government might very well be paid by the rest of the provinces. I make no complaint whatever of the fact that other provinces pay much more largely per head than they do. That, I think, is perfectly fair and just. The richer provinces should pay in proportion to their property, but I am not prepared to say, after that has been done, that large subsidies should be paid out of the funds of the other provinces in addition to these that I have already mentioned. I do not know whether my hon. friends are fully aware of it, but it is something which they will have to be aware of very shortly, that certain important sections of this Dominion are at this present moment among the most heavily taxed portions of His Majesty's dominions wherever they may be. I have here the details of what two, at least, of our western provinces have been paying for some years back, and a very remarkable series of details they are. Some forty years ago I remember when the civilized world was almost ap-

palled when it was found, after the close of the bloody war between Germany and France, the German Emperor chose to exact a war indemnity of one thousand million of dollars from the impoverished people of France. Within our own time a great deal has been said of the frightful cost of the Boer war to the people of England, though it was spread over three or four years. It amounted to twelve hundred million of dollars. I want to call the serious attention of my hon. friends here and elsewhere to a few figures on this point. A few weeks ago I obtained from my hon. friend opposite a statement of the customs paid for nine months in British Columbia and in Manitoba, amounting for the nine months to $14,050,384. The excise duty for the same term amounted to $1,566,945, making a total for the nine months of $15,617,329. Add a proportionate sum for three months and it means that on the first of April next these two provinces, with a total population certainly not exceeding 900,000, have paid into the Dominion treasury for customs and excise alone $20,825,992. These figures may not convey, possibly, to an ordinary audience all that they really mean, and I will put it in another way. If that statement be correct, and it is a statement furnished to me by my hon. friend, then for every 15 months, or thereabouts, the people of Manitoba and British Columbia are called upon to pay into the federal treasury a sum of money equal to the entire indemnity, per head, which was paid by the French at the conclusion of the Franco-German war, and to the entire cost of the Boer war, to the people of the United Kingdom per head. Hon. gentlemen may think this is an exaggeration. Well, I advise them to take pen and ink and calculate the matter and they will find that in the case of France which, in 1872, had a population of 36,102,921, the payment per capita amounted to $27.50. In the case of the United Kingdom, which in 1902 had a population of 42,000,000, the cost per capita was $28.60. In the twelve months that I have just referred to, the payment per capita for Manitoba and British Columbia, would be $23.14 and for the fifteen months it would probably exceed the total payments made by France to Germany, or made by England during the entire period of the Boer war.

Hon. Sir MACKENZIE BOWELL—Does the hon. gentleman, when he mentions Manitoba, include Saskatchewan and Alberta?

Rt. Hon. Sir RICHARD CARTWRIGHT—No, I am simply referring to the official returns given me which deal with Manitoba. I will refer to Saskatchewan presently. I might remark that this does not, by any manner of means, wholly cover the question, because there is no doubt whatever, and the researches which have been made by the committee presided over by our honourable friend Sir George Ross, who is not present, would prove to a demonstration that these provinces, over and above what is credited to them in the public accounts, pay a considerable amount of the taxes collected in Montreal on goods which are afterwards consumed and paid for by the people of these provinces, I may add, further, that if the statements made by the manufacturers of Canada are correct, if the amount they allege they produce every year, after making deduction for the amount that is exported, probably not quite, but nearly as great a sum, over and above these direct taxes, is likely to be taken out of the pockets of the people of Manitoba and British Columbia for the purpose of satisfying the greed of certain Ontario and Quebec manufacturers.

Hon. Mr. CLORAN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—They, I believe, are much averse to having any truck with the United States, but at the same time, they would not object to know what the United States pay for federal purposes. In 1911 the entire customs duty collected in the United States was $314,497,000, and the excise duty was $289,306,000. Their population was estimated to be 94,000,000; and for all federal purposes the United States contributed in 1911 $6.42 per head as against $23,14 contributed by my friends from Manitoba and British Columbia, and you will remember that the United States has a big navy and army, and a huge pension fund besides to provide for. This situa-

tion has only lately become acute. It was not so a few years ago. It is only within the last two or three years that these huge figures have accumulated at all, and that this thing has become, as I believe it to be, a very great evil, to be grappled with under peril of serious consequences to us all. I do not think there was much ground for complaint in 1900, or, for the matter of that, for a few years thereafter. I want to ask my hon. friend—and nobody ought to be able better to answer the question than himself—what he thinks of the position of the Northwest to-day. In my opinion, the Northwest is outrageously overtaxed for federal purposes directly. The Northwest is paying besides a huge tribute to the manufacturers of the eastern provinces, and, more than that, the Northwest has recently been deprived of the natural market which it ought to have had, which it would have had, if our policy had been carried out, and which as my hon. friend behind me said, and I believe is perfect truth, would have been worth tens of millions to them to-day.

I say nothing of their having to pay heavy municipal taxation. Unfortunately, the evidence on that point is not sufficiently detailed to enable me to go into it minutely; but this much is known, even on the very meagre evidence which the government have been able to produce—and here let me say that they ought in all conscience to have acquainted themselves minutely and in detail with the entire amount of municipal and local taxation in every province of this Dominion before they entered on this path of theirs. But we find this, in Ontario the municipal taxes—not the local taxes, which are a thing apart—are put down from twenty-five millions to twenty-six millions a year. We find that in Manitoba they are put down at something like seven millions. In British Columbia, though there I fancy they are chiefly urban, they go to something like four millions, and so on; whereas in the other provinces, and in many of them I am told —I speak merely from the information I have received—the taxation outside of that levied in certain large cities was almost infinitesimal. With respect to this last item that I spoke of, the enormous tribute which has to be paid to the various manufacturers whose goods we are compelled to purchase, under a penalty of 20 or 25 or 30 per cent, as the case may be, once more I say it may be possibly true that in the case of Ontario farmers there is some compensation for the huge tax that is levied upon them. There, if our protectionists do steal a goose, they at any rate give back the giblets; but no such compensation exists in the case of the northwest provinces. There everything is taken from them and nothing is returned to them. Here we have an enormous surplus—the largest surplus our history records—and, at the same time, with that surplus, the government recently brought down a budget in which they did not say a word about lightening the burden of this enormous taxation. Let me go over the case of Manitoba and British Columbia a little once more. Here we have in those provinces a huge amount of taxation paid in 1910-11, an amount of something like $16,000,000. This had risen in 1912 to about $20,000,000. What their loss has been by refusal to trade with the United States we can barely guess. If the committee which has been appointed to deal with that subject had time to make a full examination, I believe a very remarkable state of affairs would be revealed; but for that we must wait, I fear another session. What their loss may be by the protective tariff I have only ventured to guess. What the amount of their municipal taxation is I know moderately correctly in the case of British Columbia and Manitoba. It would apparently amount to something like $10,000,000 or $12,000,000 on that account alone. Now, those provinces are rich, but they are not rich enough to stand this long; and the government, with those facts before them—because these are facts culled from their own public documents, and are facts which they ought to be as well acquainted with as I am—the government come down and propose to mulct them further; because I tell you, hon. gentlemen, that it is utterly impossible, under the conditions that I have detailed, to suppose that the eastern provinces can contribute anything

towards this expenditure which you propose to make; it must come very largely out of the western provinces. There have been things said here which I do not want to dwell upon. It has been asked, 'How long will the Northwest submit?' But hon. gentlemen will do well to consider it all the same, and what makes it peculiarly improper that this new departure should take place now, and that this matter should be attempted to be dealt with now, is that this present parliament, so far as the House of Commons is concerned, does not fairly or honestly represent the people of Canada.

Some hon. GENTLEMEN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—The northwest provinces have scarcely half the representation there to which they are entitled. Even in this House the northwest provinces, with a population which is very nearly two millions to-day, have a far smaller representation in proportion to their numbers than the maritime provinces, or the provinces of Ontario, or Quebec. Under those circumstances, I say that it is doubly and trebly improper that a new departure should be made, that the basis of our federal arrangement should be torn up as it is being torn up, and that those provinces should be let in for expenses which were never contemplated when they entered the confederation. Let us consider where these things will lead to. In two years the Northwest, if it continues to grow as it has been growing during the last few years, will have a population equal to that of the province of Quebec. In five years it will have a population equal to that of the province of Ontario, and be entitled to an equal representation. Recollect that these things to which I have referred are taking place in a community which is geographically isolated from us to a very great extent, with which we have only a slender connection of two or three railroad lines, and I warn my hon. friends that it is not prudent under those circumstances, to press those people too far. I have not referred to Ontario, my own province, for two reasons. One is that the finances of Ontario and Quebec are considerably intermingled, and that unless it were possible to have a pretty accurate idea of what proportion of the importations in the great port of Montreal belong to Ontario, and what proportion to the other provinces, I could not give an equally accurate statement. But there is another reason, and I admit that here my friends in the maritime provinces stand on firm ground; they may, with very great justice, say to the people of Ontario—the majority of the voters of which province, I am sorry to say, are mainly responsible for the present state of things as far as the refusal to deal with the United States is concerned. 'You will not allow us a market in which we can prosper, in which we can dispose of our produce, and therefore it is but right that you should be obliged to pay for works of a local character undertaken by us.' If they bring forward that argument I do not know but I would be obliged to admit that there was a great deal of force in it. I will say this further, as a citizen of Ontario, knowing how fertile, how great a province Ontario is—for I know it well; few men better; few men have traversed it from end to end oftener or longer than I have done—but nevertheless I say that the present prosperity of Ontario is due mainly, if not entirely, to the prosperity of the Northwest; and I point to the result of the census of 1901, when, after twenty years of a National Policy, in the decade that had elapsed between 1891 and 1901, Ontario presented to the world the most miserable spectacle of a great, rich, fertile province reduced to a state of atrophy.

Some hon. GENTLEMEN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—Why hon. gentlemen, between 1891 and 1901 the total growth of the great province of Ontario was barely 68,000 souls—from 2,114,000 it had grown to 2,182,000. A viler record I never saw for a country of such resources and of such natural wealth. One-third of one per cent per annum was the growth of Ontario from 1891 to 1901, and almost the entire of that paltry growth took place after 1896, as the census records will show. But I say that in all Ontario there is scarcely one factory, or one town, which is not to a very large extent dependent for its prosperity on the trade that it carries on

with the Northwest, and to an enormous extent for the profits that they may make. Now, how has Ontario repaid the Northwest? By lending itself to the silliest and most foolish prejudices of race and religion that I ever heard brought up in any contest, and by allowing itself to be made the tool of a set of selfish scoundrels who cared nothing for anything except further lining their well-filled pockets. For these purposes Ontario turned down the best offer that had ever been made from one nation to another.

Some hon. GENTLEMEN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—But what did it care, or what did those people care—I speak of the majority of the electors, not of all, thank Heaven; but what did those people care for the prosperity of the Northwest? What did they care for the prosperity of the maritime provinces? The selfishness of those people is even less extraordinary than their stupidity, because if there be one thing more than another that Ontario should desire, that Ontario should lay itself out for, it is to promote the prosperity of the Northwest on which its own prosperity is so largely dependent.

Some hon. GENTLEMEN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—I warn the House against this measure on every possible ground. I say it is at once impolitic, unjust, and in the highest degree, unconstitutional. It is the most ostrich-like policy that we should go on refusing to recognize these patent facts. A most unwholesome condition has arisen, and this measure is likely to aggravate it in a very high degree. We committed, unhappily, one act of supreme folly on the 21st of September, 1911—I do not mean in turning the old government out, that, of course, was the people's prerogative, but in refusing the offer then made of free trade with the United States in natural products, and since that time we have had as sharp an object lesson as any country ever had in the present condition of affairs in the Northwest. If they choose to crown this with another blunder of the same description, if they choose to heap one unjust tax upon another, I know what they will deserve, but I shall not say it. Parliamentary etiquette must be preserved. I have stated what I believed to be actual facts in this case, and if it should turn out I am wrong, I am prepared in every possible way to retract and to apologize, but if I am right, if these facts are correct—well the government should consider their course carefully. Never was there a position that required it more. I appeal to my hon. friend—I do not ask him to admit what I think he must feel, if he takes the trouble to study my figures—I appeal to him that now is the time to redress the wrong which has been done to the Northwest; now is the time to make what little compensation can be made for the injury which has been done to them. Now is the time, at any rate to reduce the hugh burden of taxation, which I believe is heavier than that imposed on any other part of His Majesty's dominions. My hon. friend, I have no doubt, is a diligent student of the Holy Writ.

Hon. Mr. COFFEY—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—He will remember what the evangelist seems to have thought of those sons of perdition who, when a child asked for bread, gave him a stone, and when he asked for an egg gave him a scorpion. The Northwest has been asking for a remission of this excessive taxation. My hon. friend's colleagues are tendering it to-day, in the Bill now before us, a protective tariff, to be constructed on the most scientific principles, for dividing the plunder among the creators and proprietors of the present government. The Northwest asks for some compensation for the loss they have sustained by the loss of their natural market. My hon. friend's colleagues are offering to them in this Bill the privilege of paying for the roads and bridges of other provinces at a distance of 3,000 miles from them, which provinces do not find it convenient to raise any money for their own purposes by means of municipal taxation. I am sincerely sorry that I have to say what I have said about this Bill,

but since the death of our late lamented colleague, Sir John Carling, I believe I am the last survivor of the sixty-five members from Ontario who assisted at the initiation of this confederation. I know right well—and if those men could be called back to this earth every one of them would confirm my statement—that the one thing of all others which induced Ontario, at any rate, to enter confederation was to avoid that very admixture of federal and local finances and taxation which my hon. friend is proposing to us in this Bill. That was the rock on which the union of the two Canadas all but split in 1864. Now, if these hon. gentlemen choose to deliberately and most needlessly, with very little consideration, to set to work to undo what has been done with pains and trouble during the last fifty years, I verily believe that the next fifty months will see the whole of this confederation from one end of it to the other in very much the same position that the two Canadas were when I first took my seat in parliament in 1863. I would regret and deplore, as everybody will deplore such a thing. But I think that of all the measures proposed to us during the last fifty or during the last thirty years at any rate, there is none which is so likely to bring about that end as this Bill which we have now under consideration.

Hon. Mr. KERR moved the adjournment of the debate.

The motion was agreed to.

BOUNDARIES OF MANITOBA BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (115) An Act to provide for the extension of the boundaries of the province of Manitoba.

He said: In the session of 1908 resolutions were brought down by the late government with a view to extending the boundaries of Manitoba. I need not say that this has been a question which has excited the deepest interest for many years, not only in the province of Manitoba, but at Ottawa. There have been negotiations extending over a series of years with a view to the extension of those boundaries. The present government have practically adopted the resolutions which were passed by the House of Commons on the 13th of July, 1908, with reference to those boundaries. It is also proposed that in the financial terms, Manitoba shall practically be placed upon the same status as the provinces of Alberta and Saskatchewan enjoy. The negotiations which were taken up between the government of Manitoba and the federal government in 1908 were abortive, so far as arriving at a mutual agreement was concerned. It seemed impossible for both governments to agree upon what the terms would be, but I need not point out to hon. gentlemen, because it seems to me it will appeal to the reason of every reasonable man, that where the conditions were practically the same as those which obtained in the provinces of Saskatchewan and Alberta, those same terms should be extended to the province of Manitoba. Consequently the policy of the present government has been to equalize those terms so far as possible, and therefore the financial terms of the Bill are practically the same as those enjoyed by these two provinces. The conditions of those terms have been made retroactive to the 1st of July, 1908. It was pointed out at that time that the late government had practically agreed to the extension of the boundaries of Manitoba, as embodied in the resolutions of the House of Commons of that date. It would not be unreasonable to suppose that the late government should have placed the province of Manitoba in the same position financially as her sister provinces Saskatchewan and Alberta. Consequently the financial terms now proposed have been extended back to that date. The terms of the resolution brought down to the House of Commons touching the financial terms are as follows:

> Resolved, that it is expedient, (a) to extend the boundaries of the province of Manitoba northward to the sixtieth parallel of latitude and northeastward to the shores of Hudson bay, upon such terms and conditions as may be agreed to by the legislative assembly of Manitoba and by parliament;
>
> (a) to authorize the Governor in Council inasmuch as the province was not in debt at the time of its establishment, to pay to the said province an annual sum of $381,584.19,

being the equivalent of interest at five per cent in $7,631,683.85, the difference between a principal sum of $8,107,500 and $475,816.15 heretofore advanced by the government to the province for provincial purposes; such annual sum to be paid as and from the first day of July, 1908, but subject, however, as to payments due upon the coming into force of any Act founded upon these resolutions, to the deduction of certain sums received by the said province by way of interest on capital allowance in lieu of debt;

(c) to authorize the Governor in Council to pay to the said province, in lieu of ownership of public lands, an annual sum based upon the population of the said province as ascertained by each quinquennial census thereof, such annual sum to commence with $562,500 (less certain deductions in respect of what are known as swamp lands and university lands) and not to exceed the annual sum of $1,125,000 (less equivalent deductions); the same to be paid as from the first day of July, 1908, but subject, however, as to payments due at the time of the passing of any Act founded upon these resolutions, to a deduction of the aggregate of certain sums received by the province on and after July 1, 1908, on account of indemnity in lieu of public lands;

(d) to authorize the Governor in Council to pay the said province one-half on July 1, 1912, and one-half on July 1, 1913, the sum of $201,723.57 towards the construction of public buildings.—Mr. Borden.

This was the subject of the resolutions brought into the House of Commons and embodied in the Bill which is now before us for the second reading. As the Bill is very largely of a financial character, and therefore uninteresting so far as this discussion is concerned, I propose that, when in committee, we might discuss it to much better advantage than by debating it at any length at this stage of the Bill. The boundaries, as I have said, will be shown upon the map which is now before the Chamber. I, therefore, move the second reading of the Bill and ask your best consideration on its behalf.

Hon. Sir RICHARD SCOTT—Is it understood that the principle of the Bill can be discussed?

Hon. Mr. LOUGHEED—I am quite willing that the principle of the Bill should be discussed before the committee.

Hon. Sir RICHARD SCOTT—On a motion that the Speaker leave the Chair is a convenient time.

Hon. Mr. POWER—I assume that the principle of the Bill is involved in the extension of the boundaries, and that was part of the policy of the late government, so that I do not think there is any principle to consider before going into committee.

Hon. Mr. CLORAN—I think there is a principle involved in the Bill. It was voted on in the other House. The hon. leader of the government has explained the material aspect of this Bill. I have no objection to Manitoba getting all the polar region, but there is a principle in the Bill which affects the rights of the population in regard to the school question. Does the Bill protect the rights of the people who are now in that territory, and will they have the same rights that they now have when they are annexed to Manitoba? If that is the case, then I am willing to vote the second reading right away. If the Bill does not protect the rights of that portion of the population then I am opposed to the second reading.

Hon. Mr. LOUGHEED—My hon. friend will have to read the Bill and come to a conclusion from the reading of it.

Hon. Mr. CLORAN—The hon. gentleman has given an interpretation of the financial aspect and the territorial side of the question; why does he not add an explanation as to the school rights?

Hon. Mr. LOUGHEED—Because the Bill does not touch that. It is silent on that question.

Hon. Mr. TALBOT—The subsidy given to the province of Manitoba is to be retroactive. In 1908, Manitoba asked for an extension of its boundary and the subsidy is made retroactive to that date. Saskatchewan and Alberta asked to be formed into provinces in 1901. Why should not the subsidy be retroactive in that case, and why should not these provinces get the subsidies from 1901 instead of from 1905?

Hon. Mr. LOUGHEED—Saskatchewan and Alberta had no rights previous to 1905. In 1905 the government of the day organized the Northwest Territories into two provinces. Before that period they had no provincial status whatever, and were not in a position to make a demand on the federal government for subsidies or anything else. It became a question of policy for the government of that day as to whether they

would convert these territories into provinces. They did so. From that day these provinces had a status, but not before. On the 13th July, 1908, the late government brought down a certain resolution in parliament, deciding that the boundaries of Manitoba should be extended in the way we propose to have them to-day. That was in anticipation of the financial subsidies being increased. It happened that the negotiations between the two governments proved abortive; they did not see eye to eye, consequently the negotiations resulted in nothing being done. It is not unreasonable to suppose that, as recognition was given to Manitoba on the 13th July, 1908, touching the extension of the boundaries, and having in contemplation increased subsidies, once negotiations were satisfactorily concluded between the two governments these subsidies should be retroactive from that date. That is the principle which has been recognized in the Bill.

The SPEAKER—If you want to discuss the Bill you had better wait until it gets into committee. I am taking the names of those speaking now; you are only entitled to speak once.

Hon. Mr. DAVIS—It is quite in order to discuss the principle of the Bill at this stage and to discuss anything you like when in committee. My hon. friend says that resolutions were submitted to the House of Commons in 1908 with reference to the extension of the boundaries of Manitoba. That is very true. These resolutions were not acted on and I cannot understand why they make these payments to the province of Manitoba retroactive. If Manitoba is entitled to that, the provinces of Saskatchewan and Alberta are entitled to the same. It does not make any difference what was presented in 1908. This is 1912, and we are now discussing a measure that is before the two Houses of Parliament. I propose discussing that measure on its merits at the present time, and not what was done in 1908. Now we have before us the proposition to extend the boundaries of Manitoba. I am not going to say whether the late government was right or wrong. I have nothing to do with that. I am going to discuss the proposition as it was submitted to this House to-day. It is not a proposition that commends itself to the people of Saskatchewan. It is a well known fact that a large portion of the territory which is being so generously handed over to Manitoba formerly belonged to the old territorial district of Saskatchewan. I represented a portion of that territory in the House of Commons some years ago. When the provinces of Alberta and Saskatchewan were formed they cut off a considerable portion of what was in the original territories and they threw it into No Man's land.

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

After Recess

Hon. Mr. DAVIS—When the House rose at six o'clock I was just starting to demonstrate to the House the claims of the province of Saskatchewan to a great portion of the territory that is included in the proposed extension of the province of Manitoba. I might say, in passing, that I am very sorry to observe that the province of Saskatchewan has not been treated, to my way of thinking, in a proper spirit in connection with this matter. At, or shortly after, the time that the province of Saskatchewan was formed, we put in a claim to this territory, and we never released this claim, or agreed to anything that was done under the resolutions that were submitted to the House in 1908, but have maintained our rights to this territory as set forth in the memorial which was submitted to the government. But before proceeding to this, lest there might be any misunderstanding with reference to the wish and desire of Saskatchewan to be heard at the conference which took place during this session of the House between the representatives of the provinces of Ontario and Manitoba, I want to read some correspondence which I think will go to show that the province of Saskatchewan, through their representatives, asked to be heard at that conference, asked to have something to say about the boundary question. They had a claim to this territory, and they wanted to be heard?

Hon. Mr. POWER—What claim?

Hon. Mr. DAVIS—I will proceed shortly to explain our claim. In the first place

the territory was made up of a part of Keewatin and a part of the old Northwest Territories that had been cut off part of Saskatchewan, and thrown into No Man's land. It has been stated in some speeches made by gentlemen who are not very well posted with reference to the present population in that territory, that there is a total population of something like four hundred or less white people in that territory. From that I assume that the gentlemen who are talking in that way thought there was no person in that country that had a voice in the affairs of this country, or in the arrangement of affairs in that country except the people whom they were prepared to call white people. But there is a class of people there who are citizens in that country, who have all the rights and privileges belonging to any other citizen, who have the right of franchise and everything else, and who are tax-payers. I allude now to the gentlemen whom we call the half-breeds of the country. I suppose when those speakers assumed there were only four hundred, or less white people in the territory, they did not take into consideration the large population of half-breeds who are scattered through that territory down to Churchill, Nelson, and all through there, who have just as much right to be heard as the four hundred people whom those speakers talked about.

Now I submit that the government went to work without consulting these people at all. They arranged to extend the boundaries of Manitoba and to hand over the territory that these people lived in, where they were born and where, in many instances, their fathers were born. The Dominion government saw fit to undertake to hand that territory to Manitoba without consulting these people in any way. There is a flourishing town in this territory called La Pas, where there must be a population of about one thousand people. Were they taken into consideration? Were they asked to come to any conference? A great many questions affecting their welfare and rights should have been considered. We find the province of Manitoba desirous of taking this territory within their boundaries. The people living in the territory never asked to be taken in. It was Manitoba that wanted the territory. They are being taken in without their rights being considered. The province of Manitoba is pretty heavily mortgaged; it is loaded down with bonds of all kinds for the purchase of telephone lines, for the bonding of railways, for stations at Winnipeg, and for all kinds of wild cat things. Are these people to be brought into Manitoba without receiving any compensation? Are they to be thrown holus bolus into Manitoba without their interest being considered, and will they have to assume all these liabilities without being consulted? Then the rights they have to their educational system in that portion of the territory should have been taken into consideration. The least that could have been done was to have heard what they had to say. The government did not do that; they simply said: we will put you in there whether you want to go in or not. Why all this hurry and haste? This thing has been going along for the last three or four years, and another year would not have made much difference. I notice in the correspondence between the government of Saskatchewan and the leader of the present government, that he pleads that his government has not been in power for a very long time, and that they have not had time to look over these different matters, and that the session is on them and that they would not be able to consider them fully. Why could not this matter be left over to another session, and let the people of Saskatchewan have a plan of this territory submitted to them, and invite the people who live in this territory to the conference? The province of Saskatchewan should also have been invited to the conference. A minister representing Manitoba was invited. I presume he did not come down without having some intimation that he would be received. The Manitoba representative came down here, but the Saskatchewan people were not invited to the conference, and the people living in the territory to be annexed were entirely ignored.

Then, the government of the province of Ontario, who set up some kind of claim to territory, are notified and attended the conference and because, to use a vulgar ex-

pression, they happen to be at the trough, they got away with a good deal of territory. They took five miles of territory, a large portion of the shore line of Hudson bay, including what will be the city of Nelson. If Ontario has a claim to the territory, I can prove that Saskatchewan has a better claim. I have in my hands documents which the leader of the Senate sent me after the debate began this afternoon; I have not had time to go through them, but I think I can prove that Saskatchewan has a much better claim than Ontario, which province has a visionary claim. They had their territory there, and anything given them was a gift from the people of Canada.

Hon. Mr. POWER—Would the hon. gentleman take the territory given to Ontario as a gift?

Hon. Mr. DAVIS—Yes, I would. In the near future, with the growth of the western country, with the opening up and development of the Hudson Bay road, perhaps a larger city will be built at Fort Nelson than any other city in the Dominion. It is a reasonable proposition to suppose that there will be a large city there. My hon. friend from Halifax laughs. Does he not know that there are large cities in Russia much further north than that—cities larger than Toronto or Montreal—and why should we not have a large city there?

Hon. Mr. POWER—There is not any Hudson strait outside those large cities in Russia.

Hon. Mr. DAVIS—That does not make any difference. We heard the same story with reference to the straits of Belle Isle. The Hudson straits are easier to navigate than the straits of Belle Isle. There is not as much fog, no snowstorms and no more ice, and with proper telegraph and telephone communication there is no doubt that the time will come when Hudson straits will be navigated five or six months of the year. The Minister of Railways has outlined another scheme, which my hon. friend forgets, to run a line of steamers across the bay, and run a railway across Ungava to the Labrador coast.

Hon. Mr. POWER—That is a little more ridiculous.

Hon. Mr. DAVIS—The Minister of Railways says it can be done. I have heard the two greatest railroad builders in Ontario, Mackenzie and Mann, say that it will and can be done. Against that we have the views of some hon. gentlemen not very well posted in this matter. The time will come when we will have a very large city at Fort Nelson, and we have handed over to these gentlemen a large portion of the shore line that may be worth hundreds of millions in the near future, and for what reason? Are they obliged, by anything they can show us, to build a railroad to operate in this way? They need never build a railroad at all, and they can survey it and cut it up into town lots, and take millions out of it.

Hon. Mr. WATSON—It should belong to Manitoba.

Hon. Mr. DAVIS—Surely it should. If they wanted to do anything for Ontario, the proper thing would have been to extend the boundaries to the bay, and let Ontario have jurisdiction over its own territory. To show that our people have not been treated with courtesy in this matter, I want to read from some documents given to me in the return which was brought down, which shows that correspondence has been going on continuously between the government of Saskatchewan and this government with reference to the claim Saskatchewan has made for this territory. I have a map here showing a piece of Saskatchewan cut off and placed into No Man's land. We have a better right to that piece of territory than Ontario. I have a letter dated Regina, 8th November, 1911, from the Executive Council, Regina, to Mr. Borden, which reads as follows:

Dear Mr. Borden,—

On the question of extension of provincial boundaries the Saskatchewan government observes that the Minister of the Interior said at Winnipeg on October 31, that before many days passed Manitoba's representatives would be invited to Ottawa and he was satisfied that then and there a basis of settlement would be arrived at.

In view of the probable early consideration of this question by your government it becomes my duty to draw to your attention the fact that the province of Saskatchewan is in-

terested in this settlement. Our interest was recognized by the late administration of Sir Wilfrid Laurier by its invitation to the Saskatchewan government to attend and present the province's claims at a conference held at Ottawa, November 12, 1906. We there submitted a memorandum setting forth the grounds upon which Saskatchewan claims the right of extension of boundaries to Hudson bay. Inasmuch as a recital of the main facts in support of our claims is contained in the said memorandum which doubtless will be found on your files and of which I attach a copy herewith, it will be unnecessary now for this government to do more than remind you that Saskatchewan has entered a claim and to draw your attention to the fact that the government and people of Saskatchewan believe that the conditions set out in the memorandum furnish an exceedingly strong claim on the part of this province for the inclusion within its boundaries of territory and inhabitants that until 1905 were associated with and under the jurisdiction of the Northwest Territories government at Regina, and for a new boundary to give the grain producers of the premier grain producing province of the Dominion their own direct access to the seaboard on Hudson bay. You will observe on page 6 of the printed memorandum the declaration of this government's opinion that our claim to 'that portion of the territory which was formerly part and parcel of the provisional district of Saskatchewan and Athabaska is absolute and paramount and no other province has or can have any claim thereto.'

Being apprised that it is the intention of your government to deal with the question forthwith and in view of the fact that you have only assumed office and may not be fully acquainted with the history of the negotiations in respect of the matter, I deem it due to you as well as to this province whose people have a strong interest in it to call your attention to Saskatchewan's claims.

(Signed) WALTER SCOTT.

This was written on the 11th November, last year, so that the government could not claim that they had not been notified by the Saskatchewan government that they had a claim to present. Therefore, I say they had been treated with courtesy; I submit that they should have been invited to have taken part in the conference. We find here an answer to this other correspondence:

Ottawa, November 14, 1911.

Dear Mr. Scott,—

Your letter of the 8th November with enclosure is before me. The considerations which are thus set forth will receive our attention.

If convenient I would be glad to be furnished with some further copies of the printed memorial.

(Signed) R. L. BORDEN.

Hon. Walter Scott,
Premier Saskatchewan,
Regina, Sask.

Regina, 18th November, 1911.

Dear Mr. Borden,—

I have yours of Novmber 14, acknowledging receipt of my communication of the 8th inst., on the subject of the extension of provincial boundaries and stating that you would be glad to be furnished with some further copies of the printed memorandum. I regret to state that our supply of these is somewhat limited, but I am sending you herewith half a dozen copies which, I trust, may be sufficient to meet your requirements.

(Signed) WALTER SCOTT.

Hon. R. L. Borden,
Prime Minister, Ottawa.

Regina, December 30, 1911.

Dear Sir,—On the 13th ultimo, Mr. Scott wrote you on behalf of the Saskatchewan government representing that you fix a date for a conference with you in reference to the question of natural resources and certain other questions affecting Saskatchewan. As no answer appears to have been received to Mr. Scott's communication, and as our legislative assembly is to meet about the third week in January, I shall be obliged if you will let me know at your earliest convenience when the conference referred to can be arranged for.

(Signed) J. A. CALDER.

Hon. R. L. Borden,
Prime Minister, Ottawa.

Ottawa, January 6, 1912.

Dear Sir,—Your letter of the 30th December is before me. Mr. Scott's letter of the 13th November was acknowledged immediately after its receipt. The very incessant and imperative demands upon our time in connection with the present session have hitherto rendered it impossible to arrange any date for the proposed conference. I am not sure that any date can be arranged in the immediate future. However, I shall bring the matter to the attention of my colleagues to-day, after which I shall write to you again.

(Sd.) R. L. BORDEN.

Hon. J. A. Calder, M.P.P.,
Acting Premier,
Regina, Sask.

Ottawa, January 9, 1912.

Dear Sir,—In further reply to your letter of the 30th December, I find after consultation with my colleagues it will be quite impossible to fix any date for a conference before the end of the present session. Owing to the many matters which have pressed upon our attention and the necessity of holding a session almost immediately after we assumed office, we have been obliged to defer, by reason of absolute necessity, consideration of matters which are of the highest importance.

(Sd.) R. L. BORDEN.

Hon. J. A. Calder, M.P.P.,
Acting Premier,
Regina, Sask.

This went to show that they were so busy they could not have any conference. Still the conference took place.

The next is a letter dated Regina, January 23rd, 1912:

Regina, January 23, 1912.

Dear Sir,—I have the honour to acknowledge the receipt of your letter of the 9th inst., in which you intimate that it will be impossible for you to arrange for the conference asked for by the government of Saskatchewan until after the close of the present session of parliament. On behalf of this government it is my duty to convey to you the regret which we feel at your inability to deal with the matter earlier. The resolution passed unanimously by the Saskatchewan legislature nearly one year ago assumed, as its wording will show, that this question should properly be disposed of simultaneously with the question of the extension of the boundaries of Manitoba, which it is generally understood will be settled by legislation at the present session. Moreover, your attention had already been called since you assumed office, to the claim of this province for an extension of its boundary to Hudson bay. These facts coupled with the further fact that your own declared policy is to convey to Saskatchewan the natural resources within the province, make it a matter of deep regret to us that action in the premises should be delayed and that consideration of our claims should be postponed until after the Manitoba question has been disposed of.

We still hope that you will find it possible to reconsider this matter and arrange for the necessary conference in order to deal with the whole question of the partition of the Northwest Territory and the disposal of the natural resources of the western provinces at the same time.

(Signed) J. A. CALDER,
Acting Premier.

Rt. Hon. R. L. Borden,
Prime Minister, Ottawa, Ont.

This was followed by a letter dated, Regina, 27th January, 1912:

Dear Mr. Borden,—

My letter to you dated November 13th last, Mr. Scott called your attention to several matters concerning which resolutions were adopted by the legislative assembly of Saskatchewan at its last session. One of the matters referred to in Mr. Scott's letter, namely, the question of the control of the provinical resources, has since been the subject of correspondence between you and me, but no reply appears to have been received from you as to the other matters mentioned by Mr. Scott. The resolutions referred to deal with the question of the Canadian Pacific Railway Company's exemption from taxation, the control of school lands and the contract between the Dominion government and the Qu'Appelle, Long Lake and Saskatchewan Railway and Steamboat Company.

The first two mentioned matters will doubtless require a little time and consideration, but I would respectfully suggest that there does not appear to be any reason why the resolution of the assembly concerning the Qu'Appelle, Long Lake and Saskatchewan Railway Company might not be dealt with at once, if action has not already been taken by your government. In the opinion of this government the relief asked for should be granted immediately if at all. Our legislature is now in session and I would like very much to be in a position to inform the assembly of your decision in the matter at an early date.

(Signed) J. A. CALDER,
Acting Premier.

Rt. Hon. R. L. Borden,
Prime Minister, Ottawa.

Now, I submit, here is enough correspondence to show that as far as the communications between the federal government and the government of Saskatchewan are concerned, with reference to this conference, there cannot be any question that Saskatchewan asked time and time again to be represented at the conference that was held between the province of Ontario, the federal government and the province of Manitoba. Now, any province in this Dominion that has a legitimate claim to be present at a conference of that kind surely should not be ignored. Their claim to that territory was better than the claim of Manitoba today.

Hon. Mr. MACDONALD (British Columbia)—Why is Alberta silent?

Hon. Mr. DAVIS—Alberta is away off to one side. It never owned this territory. Our claim to this territory is better than the claim of Manitoba, because this territory at one time belonged to us. We administered the laws in that territory. Our legislative assembly had jurisdiction over it, we policed it; through our legislative assembly, and lieutenant governor we appointed all the magistrates in that territory; we took care of the administration of justice, the arrangements of educational questions—everything in connection with that territory. It was represented in the legislative assembly at Regina at one time by a gentleman named McLeod, and I cannot go over the names, but three or four different times three or four different parties represented that territory in Regina. I have the honour of representing that territory, and had polls in that territory when I was a representative of the House of Commons.

Now I claim that being the case, Saskatchewan had a pretty good claim to that territory. A large and generous donation is dealt out to the province of Ontario by the government in power, because, I suppose, naturally they have a friendly feeling to Ontario; but justice should prevail in

this country no matter what support a government gets from one province or another. If the free and independent people of Saskatchewan did not see fit to vote for the policy which our friends submitted to them, that is no reason why they should not receive justice. The government hand over to the province of Ontario 500 miles of the shore of Hudson bay which is worth one hundred million of dollars. They gave this to Ontario with no reason except that they demand it. Just the same as they turned over Ungava to the province of Quebec. Now they propose to hand over this portion that is behind Manitoba to Manitoba, and I submit they have no right to hand over something that other people have a claim on. If there was a mortgage on this territory it would not be right to hand it over until that mortgage claim was adjusted. It is all humbug to say that our claim was not properly submitted, because I have evidence that it was properly submitted. I have here a number of telegrams and letters which have passed between the parties lately. Here is a telegram dated March 9, 1912, setting forth the facts of the case. It is a telegram sent to the Hon. R. L. Borden, the Prime Minister of the Dominion, and is as follows:

Telegram of the 8th received. The government of Saskatchewan does not now and never did consider the resolution of 1908.

This is in answer to a telegram sent by the Prime Minister, Mr. Borden, trying to assure them that because Sir Wilfrid Laurier had not dealt with this question he could not deal with it either. I do not know what kind of logic to call that—because one man may have made a mistake, therefore justice should not be rendered by another man. If Sir Wilfrid Laurier made a mistake and did not deal out justice to these people, that is no reason why the Hon. Mr. Borden should not deal with the matter on its merits. The telegram proceeds as follows:

Sir Wilfrid Laurier's statement referred to in your telegram as a final disposition of claims for partition of Hudson bay territory. In point of fact notwithstanding said resolution conference have been going on showing proposed settlement of 1908 not considered final by you. Again urge justice of Saskatchewan's claims upon your consideration as set out in our memorial and my telegram. As to access given Ontario to Port Nelson, I note that press despatches state that your government has declared its intention to transfer to western provinces the public domain within their respective limits. In that case if your government has finally decided not to give effect to our claims set out in our memorial at very least, question of right of way should be settled now. Owing to increase in our population and in our grain production our people have a direct interest in Hudson bay ports. Before long it is likely that several railways will be built to bay. One or more of which may be state owned.

(Signed) J. A. CALDER,
Acting Premier.

This is in answer to a telegram which I need not read, which was sent by the Prime Minister to Mr. Calder giving reasons why they had not taken the matter up. Now with reference to the claim of Saskatchewan, which is set out in the memorial, anybody who will take the trouble to read the memorial will find that Saskatchewan's claim is fully stated. It sets out the history of the territory as it has been dealt with. I will not take up the time of the House reading it. There is something at the end, however, that I wish to place in our Debates. Six copies of this memorial was sent to the government long before the conference was held, and if the members of the government would take the trouble to read this memorial, they would find that Saskatchewan has a very strong claim which was made years ago. They have never given up that claim and they do not propose to give it up now.

Hon. Mr. THOMPSON—Hang on to your claim; that is all you will get.

Hon. Mr. DAVIS—I have in this memorial a statement that Sir Wilfrid Laurier made speaking on this question, which was as follows:

Manitoba has asked to have her territory extended to the shore of the Hudson bay, and this is a prayer which seems to me to be entitled to a fair hearing. But the province of Manitoba is not the only one whose territory could be extended towards the Hudson bay. The province of Ontario would have the same right; the province of Quebec would have the same right; and the new province of Saskatchewan would have an equal right to have her territory extended to the shores of Hudson bay.

Recognizing the right of each province to have access to Hudson bay and recognizing the paramount claim of Saskatchewan to these portions of the old provisional district of Saskatchewan and Athabaska lying north of the province of Manitoba, it is confidently

contended that that portion of the Northwest Territory bordering on the Hudson bay and lying between the Nelson river and the 60th parallel of latitude would be awarded to the province of Saskatchewan. If this were done a natural boundary line between the province of Saskatchewan and Manitoba would be found in the Nelson river.

This territory is tributary to Saskatchewan rather than to Manitoba. The rivers flowing through this territory flow from Saskatchewan. In the very near future it is expected that this territory will be connected with the province of Saskatchewan by a railway, one terminus of which will be in Saskatchewan and the other at Fort Churchill.

In summing up the same memorandum shows:

(1) That those portions of the old districts of Saskatchewan and Athabaska, not included in the province of Saskatchewan have been for the past twenty years and should continue to be united with the area forming that province.

(2) That the province of Saskatchewan and the province of Manitoba are both entitled to have their boundaries extended to Hudson bay.

(3) That granting to the provinces of Saskatchewan those portions of the old districts of Saskatchewan and Athabaska, the Nelson river forms a natural boundary, and the only reasonable boundary between that province and the province of Manitoba.

(4) That the territory north of the Nelson river is tributory to the province of Saskatchewan rather than to the province of Manitoba, and the interests of the people are more closely allied with Saskatchewan.

(5) That the province of Saskatchewan has a much greater interest in a transportation route via Fort Churchill and Hudson bay to the European markets than has either the province of Manitoba or the province of Ontario.

Then we find in the supplementary statement submitted on behalf of the province of Saskatchewan with reference to the claims of the province for an extension of boundaries to the Hudson bay:

That in their opinion the boundaries of Manitoba should be extended northward and eastward so as to include all of the present Northwest Territory lying south and east of the Nelson river, and

That the remainder of the territory lying between the province of Saskatchewan and Hudson bay and between the 60th parallel of north latitude and the Nelson river be allotted to the province of Saskatchewan.

I observe in this correspondence a petition was sent to the government of the Northwest Territories, signed by nearly all the people in that territory, to the effect that they did not wish to go into the province of Manitoba at all, that they wished to be connected again, as they had been in years gone by, with the province of Saskatchewan. I might further say that this territory we are talking about, represented by me at one time in the House of Commons, was also represented by Dr. Cash in the House of Commons.

The residents of this territory did not rest content with simply giving expression of their views through their accredited representative. They petitioned as follows:

To the Right Hon. Sir Wilfrid Laurier, K.C.M.G.

Sir,—We, the undersigned electors of Mackenzie district, Northwest Territories, and residing at or near The Pas, Saskatchewan, having learned but recently that an effort is being made by the government of Manitoba to have that portion of the territories lying north of Manitoba, joined to and included in the province of Manitoba, and such annexation being repugnant to us, and as we believe, detrimental to the best interests of this portion of the country, we therefore humbly petition that our political affiliations may be with the territories and not with Manitoba, and in case of provincial autonomy being granted the territories our destiny may be in or either that portion of the territories of which we form an integral part and for such, as in duty bound, your petitioners will ever pray.

Forty-eight electors of the district signed the petition against being included within the boundaries of Manitoba and prayed to be continued in political affiliations with the province of Saskatchewan. There we have a petition showing that they do not want to go in there, but want to come back to where they were before, under our jurisdiction, under our laws, where they had a right to everything we had. We know very well that in reference to the school proposition, which I do not wish to deal with, but some other gentleman will deal with that——

Hon. Mr. CLORAN—No; give us your view?

Hon. Mr. DAVIS—That territory was a part of the old province of Saskatchewan. We had a separate school law in Saskatchewan that was not exactly the kind of a school law you have down here in the older provinces, but a school law and a separate school system that satisfied everybody.

Hon. Mr. CLORAN—Hear, hear.

Hon. Mr. DAVIS—It provided for teachers that had to have normal school train-

ing. It provided in another place for government inspection of the schools, practically the same class of text-books and everything else; and certain things to be taught up to half-past three, and after that religious exercises if the people of the district wanted to hold them in the schools. It satisfied everybody. When the constitution was given to Alberta and Saskatchewan by the late government, the rights of the people were recognized, and respected, and those people in Keewatin enjoyed all those rights under the very same ordinances. The school law that we have to-day embodied in the constitution of Saskatchewan is exactly the school law that we had under the old Northwest Territories ordinances, passed by the legislative assembly—the very same law that the people that you propose to join to Manitoba enjoyed. How could they imagine what was going to happen when they were cut off and thrown to one side that way? They petitioned to be taken into Saskatchewan, where they naturally belonged, because they felt that if they were taken into Saskatchewan they would enjoy the same rights that their fellow-citizens are enjoying. But they were thrown off into No Man's land, and it is proposed to attach them to Manitoba without giving them any rights in regard to educational matters. I do not consider that fair. Those people that belonged to Saskatchewan, and should be in Saskatchewan, should now be dealt with in the same spirit as the people of Saskatchewan were treated under the constitution of that province. In place of that they have been railroaded into Manitoba without any one consulting them. I venture to say that the government has never sent anybody there to consult their wishes in this matter; and those are free men. Surely we have as good a right as Ontario to fair treatment. If Ontario is to get a five mile strip and a shore line of five hundred miles, and the east side of Port Nelson, why not give Saskatchewan the west side of the Nelson river and a shore line as well, so that we can get to Hudson bay? I do not know what reason Ontario had to get to the bay any more than she had to get to the coast of Maine, if you come to that. She is considered in conference; the thing is passed; our people are ignored, and we are told that we cannot get anything. I do not wish to discuss this matter any further at present. When the Bill is in committee I may have some amendments to move along the lines of the statements that I have made, and I shall then, probably, be able to give a little further consideration. This correspondence was only placed in my hands after six o'clock. Anybody can see I never saw it before, and that there is a lot of material for anybody to go through. I asked for it about a week ago, but did not get it. I would not have it to-night only the leader of the House kindly told me he had it in his desk, and handed it to me.

Hon. Mr. LOUGHEED—I only got it this evening.

Hon. Mr. DAVIS—I may have time to go through it further at a later day, and I will have something further to say on this question.

Hon. Mr. COFFEY—Hon. gentlemen, will you permit me to call your attention, not so much to what is contained in the Boundaries Bill, as to what it does not contain.

The school question of Manitoba has for long been discussed by the ablest lawyers in the country. They have crossed swords pro and con and in our day the legal tourney still goes on.

I do not propose to advance any opinion as to the constitutionality of the stand taken by one side or by the other. Until the crack of doom the legal profession may be hopelessly sundered on this point.

While it may be claimed that provincial rights are a sacred thing—that there should be no interference with these rights by the federal parliament—it should also be borne in mind that there may be, and there actually is, such a thing as provincial wrongs, and when it is felt that such a condition prevails, where is the remedy?

The minority in Manitoba feel deeply on this question. They have reasons in plenty to complain that they have been harshly dealt with, that their dearest rights have been trampled upon by a majority that seems regardless of the appeals of natural justice.

The fathers and mothers of the minority feel it incumbent upon them to give their offspring a religious as well as a secular education. This they deem a duty they owe their God, their country and their children. The State steps in and tells them they will be permitted to do this, but, if they so elect, they must also contribute of their means to sustain other schools they cannot use, other schools from which is excluded the training which fits them for the life beyond. They will have to support two sets of schools—those which they use and the schools of their neighbours which they do not and cannot in conscience use.

This is the condition that faces us in Manitoba, up to the present a comparatively small but important province in the federal family group.

In other provinces—I have now in mind those down by the sea—there was a time when feeling ran high on the school question, but at long last a settlement was arrived at. There was a compromise—there was a spirit of give and take—there was on the part of the majority a willingness to be just if not generous, and a peaceful solution of the trouble was achieved.

Not so, however, with Manitoba. It still clings to the motto that in school matters at least the minority has no rights which the majority may concede or respect.

We will be assured that in certain sections of the province the Catholic people have been permitted to establish and conduct schools which are practically separate schools.

They cannot in the true sense be recognized as such because they are forced to conform to certain regulations laid down by an education department which merely tolerates them, but ever looks at them askance.

Let us consider the conditions prevailing in a section composed entirely or almost entirely of Catholics. These people establish a school. It must be deemed a public school. All the money used in its erection and maintenance came out of the purses of the Catholic people, with the exception of a pittance called a government grant.

Regulations were laid down whereby religious training is cut down to the minimum. It is barely tolerated. Catechism may be taught, but only for a very brief period, and this, if I am not mistaken, after school hours.

Just here some one may put the question: Does not the teaching of religion in the schools lessen the efficiency of the secular studies? To this I would answer that in nearly every province of the Dominion where Catholic parents are given fair play—where their schools are placed on the same footing as the public schools—where they are not hampered in their work by vexatious restrictions—they not only hold their own in secular studies, but in many places are far in advance of the public schools. But to the proof, which I think will be a revelation to many who imagine that Catholics make a mistake in not taking advantage of the public school training. In the city of London at the last entrance examination, 382 pupils from the public schools went up for this test. Of these 285 or 74½ per cent passed. At the same examination 43 candidates from the separate schools went up for examination and 42, or 97½ per cent, passed. Let me say too that this is not an isolated or exceptional case, for like results are obtained by nearly every other separate school in the province, and London's separate schools employ only nuns as teachers.

Catholic people are told also that they must have no religious emblems in the schools, because the law will not permit it. The inspector may not deal harshly with the conditions as he finds them. He may tolerate these practices, but if so he is not doing his duty as an officer of the law.

Catholics feel deeply on this matter. The sense of wrong cuts as with a sword. I am sure many of my non-Catholic friends do not fully realize the depth of the wrong inflicted upon their Catholic neighbours. Yes, Catholics feel aggrieved and abundant reason have they to so feel. Their faith is dearer to them than aught else. The little catechism they place in the hands of their children is a classic. It is not much to look at, but within the covers of that small volume is the story of Christ, and the law he laid down to guide souls to Himself, and

Christians tell their fellow Christians that instruction in the Christian precepts contained in this book must be discontinued or carved down to a degree which would render it well-nigh useless. We are all Christians. This is a Christian country and I am of those who believe that if our great Dominion is to achieve the grandeur and the glory which an all wise Providence has destined it should achieve, Christ should be the corner stone and a Christian atmosphere should be with us and about us in all our strivings to attain for Canada its great destiny.

I may be met here with the argument that the school should confine its work to secular training and that the home and the Sunday school suffice for religious instruction.

There has never been a contention more fallacious, for experience has proved that, while these methods are excellent as far as they go, but a mere fringe of the work can in this way be accomplished. A very large proportion of our rising generation do not attend Sunday schools, and another large proportion of the parents are more or less indifferent. While they are solicitous about the things of time—while they are anxious their children should be well equipped in the race for the golden goal—the thought of eternity, and the thought of character building on Christian standard give them small concern.

Pardon me, hon. gentlemen, for taking up your time with this phase of the subject. I would not do so were it not in my mind that our country's future will in due time be in the keeping of the little ones who are now in life's springtime. Their future is now in the moulding. Will it be for good or evil? Will our boys of to-day be noble men of to-morrow? Will they carry a conscience into their life work, or will all their ambition, all their thoughts, all their energies be directed towards the acquirement of wealth?

It is but wasting time to antagonize the purpose of the Catholics to establish separate schools. No matter what the law may be, Catholics will everywhere, and at all times, establish religious schools, or, rather, schools in which religious training and secular training go hand in hand. You may compel them to pay the double tax if you will, but that will not stay them in their purpose. With them it is a matter of conscience. They cannot and they will not relinquish their right. Nowhere in the world are we furnished with a more striking illustration of this fact than in the great American republic. In that country Catholics pay the double tax, and while meeting the exaction of the public school tax gatherer, they pay each year for the maintenance of parochial schools the enormous sum of $25,000,000.

Nothing would please me better than to note that my friends who do not believe as I do, the great Protestant body of the Dominion, established Protestant separate schools in every section of the country where conditions would permit such a departure. In centres of population it would please me to see a Protestant separate school in the shadow of every Protestant church.

The condition in Winnipeg is a reproach. The pity of it. The shame of it. When another generation will pass away, the men of the future will wonder that the injustice done their Catholic neighbours was permitted to continue even for a short period —will wonder that the separate school question had for so long a time been cast about, particularly in Winnipeg, like a hockey puck by the practical politicians, who cared much for the sweets of office and were as adamant to the plea of justice. How long it will continue we know not, but some means should be taken to force the hands of those who value not fair play, whose shibboleth of equal rights for all comes but from the teeth outwards. Lawyers may tell us that it would be unconstitutional to take drastic measures. Well, be it so. Then let the constitution be altered, even if we have to appeal to the mother of parliaments and our gracious Sovereign.

We are all Canadians. Would that a kindlier spirit were abroad. Would that there were fewer rancour-mongers plying their unlovely trade in our midst. Would that we had amongst us more really great Canadians whose noble purpose is to build up a united Canada, united in heart and soul, dealing out measure for measure of

kindly consideration, each for each, irrespective of race, or class, or creed. With such men Canada will become truly great. Such men are a benediction amongst us. May they be multiplied over and over again, until it may come to pass that we are as one people, under one and the same old flag, loving our country with a great love and our neighbours as ourselves. Let the Senate of Canada then, the champion of the weak, the defender of the minorities, the court whose decisions are above and beyond all that is petty and mean, issue a mandate that may be reckoned with by those who continue without cause that scandalous violation of natural justice in the province of Manitoba. That province is entering upon a new era. She will be broadened and enriched under the new order of things; may it be that the minds of its majority broaden also. A fitting time would this be to throw down the barrier of oppression and give the Catholic minority that meed of justice and fair play which should be the portion, for it is the birthright, of every subject of King George.

Hon. Mr. WATSON—I wish to make a few general observations at this stage. In the first place I am very sorry that the school question has been introduced in this debate in the speech of the hon. gentleman from London. I had hoped that the Manitoba school question was settled a number of years ago. I was rather pleased when both sides in the other chamber conceded that a settlement had been made and could not be changed. I am inclined to think those gentlemen who made that settlement have sized up the situation very accurately as far as Manitoba is concerned. I do not think they should exist, or would exist there were it not for the fact that half a dozen men keep the agitation alive in order to keep themselves before the public.

Hon. Mr. CLORAN—Oh, no.

Hon. Mr. WATSON—I come from that province and think I know what I am talking about, and I say with reference to the school settlement which was made in 1897 between the Manitoba and federal government, that if all parties were favourable to carrying it out in its entirety, no such conditions as have been portrayed by the hon. gentleman from London would exist. One thing Manitoba has decided upon is that, so far as the state is concerned, every child in the province shall have a secular education to fit him for the duties of this life. They permit of religious instruction being held in the public school between half past three and four. They came to that conclusion because it was found that portions of the population were growing up illiterate because qualified teachers could not be found to teach pupils in schools that were drawing grants from the province. I do not think any religious body should find fault with a school law that permits them to have religious instruction between half past three and four, one-half hour a day, and these provisions are made in that Act. From the onslaught that was made on the Manitoba government and the Manitoba school law by my hon. friend, I am sure if some of the hon. members of this House had been impressed by the statements made by him, they must have forgotten the conditions of that settlement. The conditions are that where there is a minority, be they Catholic or Protestant, they have certain rights in the school. Any religious denomination can withdraw when the religious exercises of any other denomination are being held. That freedom is given. There is no objection to Catholic teachers. They can be employed so long as they are qualified. So that I think altogether, if the people were agreeable to go along the lines of the school law of Manitoba, there should not be any complaint of insufficient time to give instructions to children in their mother's faith. The extension of the boundaries of Manitoba has been a very live question in that province for a great number of years. A number of years ago we agitated to have the boundaries extend further west than the present boundaries. When the province was first formed it went only to range 13, west of the first meridian. After that it was extended to range 29, west of the first meridian. The province has been known in that large area of country in the northwest as the postage stamp province. The agitation was created to extend the boundary west of range 29 to Regina or Moosejaw.

That was objected to by the people resident in that district west of range 29. Their claim was that Manitoba had a very heavy debt, and they did not wish to be attached to it. They preferred to throw in their lot with Saskatchewan. Consequently the boundary was not extended west, because the people living there objected to be taken in. Then an agitation arose as to the boundaries of the provinces of Saskatchewan and Alberta. A Bill was passed in 1905 giving autonomy to those provinces. When that was done, Manitoba naturally wished to extend the boundaries, but the difficulties in doing that have been explained, inasmuch as the province of Manitoba wished to get the same area, as nearly as possible, as the provinces of Saskatchewan and Alberta, about two hundred and fifty thousand square miles. To do that, a part of the hinterland of the province of Ontario would have to be given to the province of Manitoba. There is also the difficulty explained by the member for Saskatchewan, that the portion of the hinterland north of Manitoba was under the control and jurisdiction of Saskatchewan, or the Northwest Territories.

Hon. Mr. POWER—It had been.

Hon. Mr. WATSON—It was at the time of the formation of the two provinces. At that particular time that territory was a portion of the Northwest Territories and under the Northwest Territories government; and those people, as has been stated by the member from Saskatchewan, felt that they had a just claim to have a choice as to location. They did by petition, as stated by the hon. gentleman express preference to remain in the Northwest Territories as they had been for a number of years. However, the government and the members for Manitoba, I might say, using their influence with the government, claimed that as far as the hinterland of Manitoba was concerned, that particular portion of the territories should belong to Manitoba or should not belong to Saskatchewan, and should belong to Manitoba when the Manitoba boundaries were extended. That prevailed, and the result was that the western boundary of the province of Manitoba was extended north and that formed the eastern boundary of the province of Saskatchewan. At that time, as has been stated by the hon. gentleman from Prince Albert, Saskatchewan claimed that they ought to have acces to Hudson bay—they ought to have a port at Churchill However, the government did not see fit to accede to their request, and extended the boundary up to the northern boundary of the province of Saskatchewan as formed now, leaving all this territory vacant for the purpose of extending the province of Manitoba. Then the question came up as to the boundary between Ontario and Quebec, and to give Manitoba an equal mileage with Saskachewan and Alberta it was found that they would either have to extend the boundaries of Manitoba eastward to make up that territory. Ontario objected to the taking of any portion of old Ontario. It was finally decided by the government of the day to extend the boundaries in a north-easterly direction from the north-easterly boundary of Manitoba to Hudson bay, making the provincial area practically equal to the area af Saskatchewan or Alberta. That was passed in 1908 by resolution of the House of Commons, and transmitted to the Manitoba government, but they did not see fit to accept that boundary until March, 1911. They claimed that the government should state the financial terms along with the boundary. It was contended by the government of the day that the financial terms would be a matter for a conference. It was not starting a new province. Manitoba had her swamp lands and university lands, and had an allowance on account of public lands. Mr. Roblin wanted to have a grievance against his political opponents for a purpose, and it has been made a football from that time to the present. The very boundaries proposed by the government in 1908 were accepted in 1911, and these are the exact boundaries as laid down in the present Bill, with this exception, that there is a proviso which allows the province of Ontario to have a right of way to Port Nelson or Fort Churchill, for the purpose of building a railway. That seems to me to be the most childish proposition ever submitted to parliament. It is simply juggling for political effect. We might as well ask that we should have a strip five miles

in width from Manitoba down to Fort William over which we send nearly all the freight of the northwest provinces. I had not a great deal of sympathy with my hon. friend when he asked for a port at Fort William. Of course, when you speak of a townsite, or valuable property, that is a different thing, but a port for shipping purposes makes no difference to a province so long as it is in Canada. This provision is merely given as a sop to the government of Ontario. I suppose they have demanded the price, and the government say we are going to give you anything you ask. Ontario said: 'We are determined to have a port on the Hudson bay,' and the government say, 'we will give you a strip five miles in width from the eastern boundary of Manitoba up to Port Nelson, and if that is not the port selected, then a strip of land 200 feet in width up to Fort Churchill.' Now, as has been stated by the hon. member for Saskatchewan, the province of Ontario have five years to make that selection. They are not required to build a railway, but they get possession of the land, which is under the jurisdiction of the province of Manitoba, and Manitoba has got to bear the expense of administering the law over that five mile strip although Ontario owns it. The province of Ontario can take that strip along the shores of Hudson bay from the boundary of the province of Manitoba right clean up to Nelson, and if Nelson is not the port, can take 200 feet of the fore shore from there up to Churchill. That practically gives the province of Ontario all the value there is in the foreshore of Hudson bay, because there is only a small portion north of Fort Churchill. It seems to me that it is a very unfair proposition to give Ontario that strip through Manitoba. For all time it will be owned by Ontario, ostensibly to build a railway. I doubt if they ever will build a railway, because if Ontario extends its railway, then the moment it crossed the easterly line of Manitoba, Ontario will lose control of their provincial railway, and it will be under the jurisdiction of the federal railway commission. One reason that I think it is a very unfair arrangement, as far as Manitoba is concerned, is that Manitoba receives very little financial assistance. I believe that the territory that is added to Manitoba contains minerals and other valuable resources, and they should be handed over to the province of Manitoba so that they may enjoy some of the rights over the hinterland the same as Ontario and Quebec does. For the small concession of some $315,000 a year, the government of Canada are taking back some 8,000,000 acres to which the province of Manitoba has the right to-day. They have taken it back for the paltry consideration of some $315,000 a year. That seems to me to be a sacrifice on the part of the people of Manitoba. Some details were given by the Minister of Finance in addressing the other chamber. The swamp land that Manitoba was entitled to up to the end of 1909 is approximately 2,900,000 acres. Sold by the province as per statement furnished by the province, January 12th, 834,481 acres; balance reconveyed to the Dominion under the Bill, 1,170,800 acres odd. The estimate of the swamp land in Manitoba still available is about 1,170,000 acres. The estimated swamp land in the unsurveyed part of the province is 4,870,000 acres. There is a total estimate of swamp land of 8,232,000 acres. These swamp lands are to be taken back. The province agrees to barter away that 8,000,000 acres for the paltry consideration of $315,000 a year. I think it is an improvident bargain for Manitoba to make, and a bad arrangement as far as the Dominion are concerned. These swamp lands should belong to Manitoba, because they have to be drained, and who is going to drain them? The Dominion government will not do so.

Hon. Mr. DAVIS—They will have a Bill to drain lands.

Hon. Mr. WATSON—They have a Bill to make roads; they may have a Bill to drain lands. These lands will have to be drained because the province is anxious to have them occupied. The province will not drain these lands for the benefit of the Dominion government. If any land should belong to the province it is the swamp land, because they have to be drained, and that is work for the municipality or province to do, and when they are drained they will be of enhanced

value. It has been well said by a gentleman in another place that the government of Manitoba, after this, will be known as the Esau government. They bartered away some 8,000,000 acres of land for a mess of pottage. These lands ought to be worth $3 per acre, and would be worth a million and a half a year to the province. For the purpose of relieving a prodigal government by giving them some ready cash they hand over these 8,000,000 acres for the paltry sum of $315,000 a year. There is no doubt they need it. They have a deficit on the government telephone, and government elevator, and they are in need of ready cash. It is a pity that such a deal should be put up to them when they are hard up for ready cash. We are paying too much for the privilege of securing it. Manitoba has a right to her swamp lands to-day, and should receive those in the newly added territory. From the nature of the country, at least half of that area would be handed over to Manitoba as swamp lands. The difference between the political parties in the province of Manitoba is that the Liberals in the legislature demand that the whole territory should be handed over to Manitoba, the timber, lands, fisheries and minerals. These would be of greater value to the province than the paltry consideration which they are receiving to-day, or any consideration that they are being given in cash.

That country is going to be opened up by railways, and it is very hard to estimate the great wealth that is in that country. I may as an illustration, take the experience of the province of Ontario. When the local government very wisely undertook to build a railroad up through the Cobalt country, they had no idea there was any mineral there. In fact geologists said, when they found silver at Cobalt, that it should not be there. They said it was the wrong place; but notwithstanding that, millions of dollars worth of silver have been taken out; and I have no doubt that when railroads are opened up through that territory north of Manitoba, immense mineral wealth may be discovered there. A railroad is being built, and others will be constructed to Hudson bay, and there is no question about development in that country. My hon. friend from Saskatchewan has referred to the Hudson bay route for navigation purposes. I say that has to be demonstrated, but whether it is demonstrated successfully or not, we have a large territory there that warrants the government in opening it and building railroads through it. A number of the gentlemen who now hear me have examined witnesses, notably Mr. R. E. Young, unfortunately deceased, a gentleman who probably had more information collected as to that northern country than any other man that was living in his day; and I am sure from our examinations of that gentleman, we have satisfied ourselves that that territory north of Manitoba is capable of maintaining a very very large population. The government is justified in building the railroads for the purpose of opening up that immense territory. I do not propose to take up further time discussing this matter at present, but I may make further remarks on the Bill in committee, I think, on general principles it is a bad deal, so far as the settlement is concerned but I would not feel disposed to attempt to defeat the Bill. It is a bad measure, but it has been kicking around so long like a football that I think it is better to be settled. We have a vague promise that some time in the future, distant or not distant as the case might be, this land will be handed over to Manitoba. I care not when it should be, but I should think now is the time to hand it over, when the boundaries are being extended. I do not think the federal government can make as good use of it in the interests of Canada generally as the province of Manitoba can. It would be better administered, better handled, and made of more use for the general advantage of Canada in the hands of the province than in the hands of the federal government.

Hon. Mr. DAVIS—In order to induce the hon. leader of this House to accept the motion made by the hon. member from Grandville to adjourn the debate till to-morrow, I must remind him of what took place between us, I must ask him to remember that the hon. member from Central York made a motion three or four

days ago to lay before this House the correspondence between the federal government and the Manitoba government. I was waiting for the production of those documents in order to be in a position to be able to say a few words on this question. Those documents not having been produced, I think that the hon. leader of this House will consent to postpone the discussion till to-morrow?

Hon. Mr. KERR—Before that, perhaps the hon. gentleman will tell me upon what principle it was that, in this distribution of land, the district or territory known as Ungava was given to the province of Quebec. I understand it was on the principle that it was the hinterland, the land lying north of the province, and on that account should belong to the province of Quebec. If so, why then was land which lay north of the province of Ontario not given to that province? Why was this tangent line drawn from the twelfth range in the province of Manitoba on its eastern boundary over towards the coast of Hudson bay, and the land north of that tangent line taken from the province of Ontario, and given to the province of Manitoba?

Hon. Mr. LOUGHEED—That subject might be discussed more advantageously when the Quebec and Ontario Bills come down, which I expect will be some time this week; but I might say it was for the purpose of equalizing the territory of Manitoba, and also, I have no doubt, for the purpose of including the harbour at Nelson. The eastern boundary running in a north-easterly direction, striking the shore of Hudson bay, equalizes the territory so as to place the three provinces territorily on an equality with each other. Now the mileage of Alberta is 253,000 square miles; that of Saskatchewan 250,000 square miles; that of Manitoba 251,832—an equality about as close as can be approached.

Hon. Mr. KERR—But I do not think that quite meets the point I want to understand. If that land belonged equitably where it has been given I could then understand that you might draw your line where you liked about it; but the land north of Manitoba is given to Manitoba as belonging to that province, and if that principle is right, then the land north of the tangent line of which I speak, clear to the shores of Hudson bay, would belong to the province of Ontario. The eastern line of Manitoba is a parallel of longitude. All east of that line belongs morally and equitably to the province of Ontario.

Hon. Sir MACKENZIE BOWELL—Do you mean north of Hudson bay?

Hon. Mr. KERR—No, not north of Hudson bay; between Hudson bay and the old territory of the province of Ontario along on the eastern line of the boundaries of the province of Manitoba. The province of Ontario to-day extends to the line of Manitoba. Now, all the land north of that is Keewatin.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. KERR—That part of Keewatin that lies north of the province of Ontario equitably belongs to Ontario. By many person the reason suggested is because they wanted to give access to Manitoba by way of a harbour or harbours. That does not necessarily cover the matter, it seems to me, because if the land was given to the province of Ontario, then a roadway ten miles wide which is talked of, but which is not contained in this Act, might have been given to the province of Manitoba over lands belonging to the province of Ontario, and so give Manitoba, all Manitoba then, access to ports on Hudson bay. In other words, they would have got to Hudson bay over a right-of-way, instead of Ontario going there by a right-of-way through Manitoba, but the land and all that goes with the land would have become vested in Ontario, and it seems to me, on the principle on which this has always been administered, and which is recognized in this very division north of Manitcba, that all such territory should be given to Ontario.

Hon. Mr. LOUGHEED—Do I understand the hon. gentleman to refer to part of the land now within the proposed extended boundaries of Manitoba?

Hon. Mr. KERR—Yes.

Hon. Mr. LOUGHEED—It is quite logical that the boundaries of Manitoba should be

extended to Hudson bay, embracing that part of the territory between Hudson bay and the old northern boundary, so as to give it the amount of territory possessed by the other two provinces.

Hon. Mr. KERR—How does it give it the amount of territory?

Hon. Mr. LOUGHEED—It is a matter of distribution by the government owning the land.

Hon. Mr. KERR—Is that not taking it away from Ontario?

Hon. Mr. LOUGHEED—My hon. friend from Prince Albert said they took it from Saskatchewan.

Hon. Mr. KERR—He referred to the part north of Manitoba. On the same principle that the land north of Manitoba is given to Manitoba instead of being given to Saskatchewan, why is the land lying east of Manitoba and north of Ontario not given to Ontario? You take from it what seems to me equitably belongs to it, and if Manitoba wants access to the bay, why not give it the right of way through that territory in the same fashion you are doing now with Ontario?

Hon. Mr. LOUGHEED—It is a matter for this government to exercise its jurisdiction as to the transfer to any particular province. Of course we cannot all have the same conception of what constitutes equity, but it is manifestly fair that Manitoba should be placed territorially upon an equality with the other two provinces, and it is only in that way it can be done.

The SPEAKER—Hon. gentlemen are forgetting that we are not in committee.

Hon. Mr. LOUGHEED—This matter might be discussed when the other boundaries Bills comes down.

Hon. Mr. POWER—My view about this matter is perhaps a little different from the views expressed by some other hon. gentlemen. It is contended on behalf of the province of Manitoba that Ontario should have more than she has got. It is contended on the part of Manitoba that Manitoba should have more than she has got, and now we have the claim put in by Saskatchewan that she is entitled to quite an important consideration in this arrangement. With respect to the province of Saskatchewan, I do not think that the hon. gentleman from Saskatchewan has put the case from a judicial standpoint, if I may use that expression. The hon. gentleman claims that because in old times, before 1905, when there was what was called the Northwest Territories, which territories had a legislature that met at Regina, the Northwest Territories were divided into four territories, and a portion of Saskatchewan ran eastward to the north of the existing province of Manitoba. Saskatchewan had an unquestionable claim to be considered now in connection with the proposed extension of the boundaries of Manitoba; but the hon. gentleman leaves out of sight altogether the fact that various things have happened since then. In the first place, the old Northwest Territories were practically done away with. The new province of Saskatchewan comprises a large portion, the greater portion of what was then the territory of Assiniboia. It contains the greater portion of what was then the territory of Saskatchewan. It contains a considerable portion of what was then the territory of Arthabaska, and in 1905, when the new province of Saskatchewan was constituted out of the old Northwest Territories, what had gone before was practically wiped out. As far as I remember, I did not pay any very particular attention to the expressions of feeling of the representatives of Saskatchewan and Alberta at that time, but I do not remember that there was any serious complaint made, in this Chamber at any rate, with respect to the boundaries then given to the province of Saskatchewan. I think now it is to be regretted that when the new boundaries of Saskatchewan and Alberta were constituted in 1905, the boundaries of the old province of Manitoba had not been extended to the 60th parallel of latitude. I think it would have been better to have made one piece of work of the whole business, and settled it then, in-

stead of which we have it now for about seven years a sort of running sore, which made the relations between Manitoba and the Dominion government exceedingly disagreeable. So far as respects the province of Saskatchewan. Then as to Ontario, the hon. gentleman from Toronto (Mr. Kerr) must remember that the boundaries of the province of Ontario were fixed in the famous arbitration which took place about twenty years ago, and unless I am mistaken, were fixed by the Judicial Committee of the Privy Council in England. That was what Ontario was entitled to, and when you consider the very great extent, and the great wealth of what is now called New Ontario, which is within the boundaries of the province of Ontario, there does not seem to me to have been not only any absolute necessity, but any very special reason, why the province of Ontario should have got more territory. However that may be, we find that the province of Manitoba is not quite satisfied. Gentlemen who represent the interests of Manitoba are not satisfied. The province of Ontario—if we listen to gentlemen who voice the sentiments of the opposition—is not satisfied. But, as a matter of fact, the boundaries which are embodied in the agreement between Manitoba and Ontario were embodied in the agreement between the late government and the government of Manitoba. As I understand, the government of the province of Ontario is now satisfied with the arrangement which has been made by the Dominion government and my feeling about it is this: that whether a member of this House feels this settlement is one which would have met his own approval or not, still, as the parties who are more or less directly interested, the governments of Ontario and of Manitoba, are satisfied, and the Dominion government is satisfied, I really do not think there is any particular reason why we should make any trouble about it. I am a man of peace, and I think there is no very good ground for making an outcry about this boundary question. With respect to the school question, on which my hon. friend from London has spoken so feelingly and truly, my view is that if we begin to deal with that question in an aggressive spirit we shall be laying up, probably, a very great amount of trouble for ourselves in the future. We know that over this same Manitoba school question in the past there arose a most unsatisfactory condition of things. I quite agree with the hon. gentleman from London in saying, in my humble opinion at any rate, notwithstanding the views taken by some very prominent legal gentlemen in another place, that the people of Keewatin have rights with respect to separate schools. I do not think the population is very large. The hon. gentleman from Portage la Prairie intimated that it was larger than was supposed, but it is not very large. Hon. gentlemen will remember the old story that you could not coerce Manitoba. I think the right tribunal to settle the dispute, and to remove the injustice from which the Catholics of the province suffer, is the legislature of Manitoba.

Hon. Mr. WATSON—Hear, hear.

Hon. Mr. POWER—My hon. friend says hear, hear to that. I am not quite sure that he will say 'hear, hear' to everything I say about the subject. As I understand it, the government of Manitoba have so administered the school law of that province in some sections as to give no reasonable grounds for complaint on the part of the minority. In other places the law is not so administered, and it seems to me the law should be so modified that in every portion of the province it should be administered so as to give no reasonable ground for complaint. It should be modified, even where there was a disposition not to modify it, so as not to leave it open to those administering the law to deal harshly with the minority.

Hon. Mr. WATSON—I think I am safe in saying that there is no part of Manitoba where the school law is administered harshly. There are a few who will not accept the law.

Hon. Mr. POWER—When I say harshly I mean strictly. My view is that the law should be so administered that these

people could come under the law, and the people who should so alter the law are the legislators of Manitoba. The present Minister of the Interior is anxious that peace should reign throughout the Dominion, and I think he and his leader should have sufficient influence with the present government of Manitoba to induce them to take the steps necessary to remove the grievances which the minority now complain of, and the whole thing could be done by a very simple Bill, and that would end the business altogether. I feel, hon. gentlemen, that the school question is one which is better not in politics, and I feel that now when the Dominion government and local government of Manitoba are in cordial sympathy, there is an opportunity to take that question out of politics for good and all. It is a bad thing for the whole country—bad for the government, and in my humble opinion, bad for the opposition. It is not the sort of question we should be fighting about, and I trust that when another session comes around the hon. leader of this House will be in a position to come down and tell us that, owing to the tact and judgment shown by both parties, by the government of Manitoba and the federal government, this question has been ultimately and finally removed, from the sphere of politics.

The motion was agreed to and the debate was adjourned.

THE GRAIN BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (32) An Act respecting grain.

He said: It is not necessary for me to enter upon any lengthy explanation of what is known as the Grain Act. We spent a very considerable part of last session in dealing with this very important Bill. It was sent to a select committee, and that committee gave the closest possible attention to the preparation of the Bill, which afterwards went down to the Commons. That Bill has been very largely, if not altogether, accepted by the Commons, so that upon its return to us this session, very few important amendments will appear. True there have been a number of minor amendments made, but when we come to discuss it before committee, it will be observed that probably the principal amendment to the Bill will be found in section 57, which deals with the establishment of a sample market. Then there is another section, 207, dealing with car distribution, which is a departure from the Bill of last session.

Hon. gentlemen are doubtless familiar with these particular sections, inasmuch as they received some lengthy discussion and consideration at our hands during the present session. Certain amendments were brought in involving discussion which will only be repeated when we come to consider these particular sections. With these two amendments I may say that the Bill is substantially, barring certain details and particulars, which do not affect the question of policy, the same Bill which we passed last session of parliament. Without occupying your valuable time at this late hour of the night, I propose moving the second reading with the view of its reaching the committee stage, when we can enter into details more fully than at this time.

Hon. Mr. WATSON—I do not wish to delay the House by discussing this measure. I agree with the hon. gentleman that this is practically the same Bill that was so well considered by the Senate during last session. It went over to the House of Commons and they have made some half dozen changes which I do not think are minor. They have really changed the whole principle of the Bill. In one particular, with regard to car distribution, they have made material changes. The sample market is entirely a new feature and permits mixing, and that was never contemplated in the Grain Act. I received a communication to-day from the executive of the Grain Growers of Manitoba, Alberta and Saskatchewan, complaining about some changes that have been made in this Bill in the House of Commons, and they ask that the Senate should take some action, particularly with reference to the two amendments. They consider them of such importance that they

are willing to sacrifice the whole of the Bill rather than submit to these two amendments. I would suggest that, as these gentlemen will be here this evening or to-morrow, they should be given some opportunity of laying their views before the Senate. I do not know whether you want to refer this Bill to a committee or not, but I do think that, as this Bill is for the purpose of dealing with the commodities of the farmers of the Northwest, they should be considered. This Bill is not introduced by the government for the purpose of facilitating trade; it is for the purpose of protecting the Northwest farmers and their representatives should be heard before the Bill is finally dealt with.

Hon. Mr. DAVIS—When this measure was first submitted to the House it was very nearly a copy of the Bill that was put through the Senate last year, and which went to the House of Commons. On account of the dissolution it did not become law, and the present Minister of Trade and Commerce took it up and, after consulting with the farmers, practically introduced the old Bill. After the Bill was printed the government must have had some other representations made to it, and amendments have been introduced. As the Bill stands to-day it is simply a farce to present it to this House or to the House of Commons. All you have to do is to draft the Bill providing for the appointment of a grain commission, define their duties and fix their salaries. All the principles the farmers have heen fighting for years to secure have been taken away from them by this Bill. For years they have been fighting for the distribution of cars, and they have sent their delegates down here to face the railway companies, and at last they got a little freedom, but this Bill takes it away from them. This is a very serious thing for the farmer, because it means that he will not have competition in the sale of his grain. The handling of grain in the west at the present is in the hands of a monopoly, the Peevey and one or two other companies. These large companies form four or five small companies, one they call the Saskatchewan Elevator Co., another one the North Star, and another the British American. Four of these companies will locate in a town, and the people think they are getting competition in the sale of their grain when, as a matter of fact, the four companies belong to the one combine. When the farmer had the loading platform, he could send his grain to the market himself, but if he went to these four companies they would all tell the same story, and would all grade his grain about the same and offer him the same price, and he had to take it or leave it. After the farmer got a share of the cars granted them by legislation, if they were not satisfied with the price offered by this combine, they could load their own car and sell their grain at the highest price they could get. By placing this matter in the hands of the commissioners and giving them power to place the cars as they please, the farmers are not likely to receive justice. They claim that the commissioners are more liable to incline to the Grain Exchange in Winnipeg than to the farmers of the west. They claim that the Grain Exchange will plug them with all kinds of statements with reference to congestion and that the farmers will get the worst of it. It has been proven by the farmers that the congestion was more the fault of the railway company than of the farmers tieing up the cars at loading platforms. It has been proven time and again that the railway companies have taken four times as long to send a car of wheat from a loading platform to Fort William than they should have taken. Another thing the farmer does not like is the mixing of grain. He likes to keep up the reputation of his grain. And those same gentlemen I tell you about, most of them from the other side, have got into the habit of buying grain and mixing it up and shipping it out. It is a well known fact that a year or so ago several of them were prosecuted for mixing grain contrary to the statute, which goes to show that even a law on the statute-book would not keep those gentlemen straight. Now, they propose to take away those rights to a certain extent and prevent mixing; in other words, to hand over everything to this commission. You might just have a Bill with one page ap-

pointing a commission and fixing their salaries and let it go at that.

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

CIVIL SERVICE ACT AMENDMENT BILL—CUSTOMS OFFICIALS.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (116) An Act to amend the Civil Service Act.

(In the committee.)

On clause 1,

1. The Civil Service Act, chapter 16 of the Revised Statutes, 1906, is amended by inserting the following sections immediately after section 39:—

39a. Notwithstanding anything in this Act, a person who has served seven years as a chief clerk in the outside service of the customs, may be appointed a senior chief clerk in such service, subject to such examination on the duties of office and other qualifications as is prescribed by the deputy head in a report to be concurred in by the head of the department.

Hon. Mr. POWER—That, as I understand it, applies to a clerk in the outside service the same rules as apply to a clerk in the inside service. Is that what it means?

Hon. Mr. LOUGHEED—I might say that this is a Bill that was introduced at the last session of parliament by the late Minister of Customs, Hon. Mr. Paterson. It proposes to increase the salaries—

Hon. Mr. POWER—That may be something in its favour, but still it is not everything.

Hon. Mr. LOUGHEED—I mention that for the purpose of facilitating its passage. Hon. gentlemen will appreciate that part. The Bill proposes to increase the salaries of some of the officers in the outside custom service, such as collectors of ports and chief clerks. It is proposed now to establish a senior chief clerkship with a salary ranging from $2,200 to $2,800, who will be employed only in large cities like Montreal, Toronto and Winnipeg. The present system is to have a chief clerk for each department at these ports, but the business is so increasing that it has been found necessary to have a senior official over those clerks, who must be a man of experience in the service and be the very best officer that can be found in the port.

The clause was adopted.

On clause 2,

39b. Notwithstanding anything in this Act, a person who has served over three years as a clerk in the outside service of the customs may be apointed a senior clerk in such service, subject to such examination on the duties of office and other qualifications as is prescribed by the deputy head in a report to be concurred in by the head of the department.

Hon. Mr. POWER—Perhaps the hon. gentleman could tell us what the increases are here. He probably has a list of the salaries as they are now.

Hon. Mr. LOUGHEED—It will be found in the schedule attached to the Bill.

Hon. Mr. POWER—No; this is the new schedule, but I wish to find out how they compare, what the increases are, how the new salaries compare with the old.

Hon. Mr. LOUGHEED—I could not tell you that offhand. It proposes to pay the senior chief clerk $2,200 to $2,800.

Hon. Mr. POWER—As I understand it, the schedule sets out the salaries that are to be paid in future, but I wished to know, for information, what the existing salaries are. Perhaps the hon. gentleman will inform himself between now and the third reading.

Hon. Mr. LOUGHEED—I will on the third reading, be very glad to give the figure.

Hon. Mr. DAVID—Is not that period too long—seven years and three years? I put the question to the hon. leader of the House in view of the fact that in the other case he only required one year?

Hon. Mr. LOUGHEED—My hon. friend is getting facetious now.

Hon. Sir MACKENZIE BOWELL—The salaries now paid differ materially at the different ports. While I know that we

have no power to change this Bill, I desire to call attention to what the Minister of Customs must have overlooked when he arranged the salaries. I find among the technical officers Dominion appraisers, and appraisers at the different ports; they commence at $1,200 and the maximum is $2,200. Those who know anything of the working of the Customs Department know that the most important officers, more particularly at the larger ports, are the appraisers. They deal with almost every item that is imported into the country, and they ought to be men of superior ability and talent and practical knowledge; consequently, in making the selection to fill those offices, they should be made from men with large practical experience, and paid accordingly. I notice in this schedule they are not placed in the class where they ought to be, and I have no doubt when the minister's attention is called to it he will rectify it.

The CHAIRMAN—Are these figures right, from $300 to $4,000?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DANDURAND—Examining officers, including preventive officers, are put down at from $200 to $1,000. I think there must be an error. It may be probably $500, or $600 to $1,000.

Hon. Mr. POWER—No; those men are located at small places.

Hon. Mr. LOUGHEED—And often they occupy other positions, such as post offices.

Hon. Sir MACKENZIE BOWELL—For such officers the salaries laid down in this schedule are ample, when you consider the character of the men who fill those positions, for it requires no particular talent to be a packer, or messenger, or what is termed a preventive officer. That phrase preventive officer has been utilized very improperly in the past, to my mind, because when they desired to appoint an official outside, and in contravention of the Civil Service Act, they appointed a preventive officer. That is supposed to be one of the lowest positions, those officers being just placed along the shores to prevent smuggling, and the office requires no particular attention. The salaries offered in many cases are from $100 to $200, or $300. I think the schedule here is quite large enough.

Hon. Mr. DANDURAND—But in that list you have lockers, and I understand that those men get $700 or $800; in Montreal, at all events, they do.

Hon. Mr. POWER—Of course they have no lockers at those small places.

Hon. Sir MACKENZIE BOWELL—All the lockers have to do is to take charge of a warehouse and see that it is locked up, and that nobody steals the goods. Surely $1,000 is enough for that.

Hon. Mr. DANDURAND—Yes, but those lockers in Montreal are no longer appointed under $700.

Hon. Mr. LOUGHEED—But this does not extend to lockers; it says 'including preventive officers whose duties are not chiefly clerical and lockers.'

The Bill was reported without amendment.

CIVIL SERVICE ACT AMENDMENT BILL—POSTMASTERS.

IN COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (124) An Act to amend the Civil Service Act.

(In the Committee.)

Hon. Mr. LOUGHEED—The intention of this is to make provision for increase of assistant postmasters at Toronto and Montreal. They are now given salaries running from $2,800 to $3,500. It is to be pointed out that these are two of the largest offices in Canada, requiring a class of official that should receive a salary represented by the amounts mentioned in the Bill.

Hon. Mr. KERR—Is there any maximum?

Hon. Mr. LOUGHEED—Yes, $3,500.

The Bill was reported without amendment.

CIVIL SERVICE ACT AMENDMENT BILL —PRIVATE SECRETARIES.

IN COMMITTEE.

The order of the day being called House went again in Committee of the Whole on Bill (60) An Act to amend the Civil Service Act.

Hon. Mr. LOUGHEED—This is our old friend on which we had considerable discussion. I should like to finish the discussion, if we can possibly do so, by pointing out to the House that this being a money Bill, we should not again go into committee on the subject, but should follow the practice which has always been observed in this House of simply giving a money Bill a third reading. Of course I know some of my hon. friends on the other side of the House will differ from me on this point; but assuming it to be a money Bill, I would like to raise a point of order and have the ruling of the Speaker upon the point, and we probably could reach the conclusion of it very much more satisfactorily in that way than by further discussing the subject, which was discussed at very great length as to increasing the term from one year to three years.

Hon. Mr. POWER—Could my hon. friend tell me what is the difference between this Bill and the one he has just passed increasing the salary of custom house officials?

Hon. Mr. LOUGHEED—It is a money Bill also. I simply suggest that we pass it over the committee stage and have the ruling of the Speaker on the point. Of course the House may appeal from the ruling of the Speaker and then we go back to the committee. I think it better just to leave it at that point in view of the fact that it has been treated as a money Bill in the House of Commons.

Hon. Mr. WATSON—I am not, as a rule, in favour of compromising. In this particular case it would be a good plan to compromise and say two years, and if that is acceptable to the hon. gentleman, probably the members on this side would agree to it.

The SPEAKER—All in favour of the motion for third reading.

Hon. Mr. DANDURAND—This is a very extraordinary way of dealing with the Bill.

Hon. Mr. LOUGHEED—Would my hon. friend pardon me. I had intended to refer to several cases which are cited in the Journals of the House in which the same procedure was adopted. I will put the cases on record so that we may afterwards have them for reference. In the Journal of III Edward VII, Bill (256) pages 462, and 465; with reference to Bill (258), volume 38, page 462, with reference to Bill (269) volume 38, page 508.

Hon. Mr. DANDURAND—Will the hon. gentleman give us one ruling?

Hon. Mr. LOUGHEED—Bill (270) volume 38, page 511. Bill (271) volume 38, page 5512; Senate Journals of 1903:

> Bill (256) An act to provide for advances to the government of the Northwest Territories, was read a second time. On motion of Hon. Mr. Scott, seconded by Hon. Mr. Templeman, it was ordered that the said Bill be committed to the Whole House to-morrow.
>
> When it was reached on the Order Paper on the following day, it was moved : On motion of Hon. Mr. Scott, seconded by Hon. Mr. Templeman, it was ordered that the said order be discharged and that the said Bill be now read a third time. The said Bill was then read a third time accordingly.'

I simply point this out to show that where a Bill is a money Bill it is futile to go into committee, and although it may appear on the order paper for reference to the Committee of the Whole House, the practice has been to discharge the order for the day on it being pointed out that it is a money Bill and to give it a third reading. All the cases I have cited are on the same line. Of course, I quite admit that the measure must be a money Bill.

Hon. Mr. DANDURAND—The reason which actuates the hon. gentleman in making this motion is that it is a money Bill.

Hon. Mr. LOUGHEED—Yes, it is a money Bill; there is no doubt about that.

Hon. Mr. DANDURAND—The hon. gentleman makes this motion in order that we may test the question.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DANDURAND—I raise the point and challenge the claim of the hon. gentleman that this is a money Bill.

Hon. Mr. YOUNG—Was it introduced on resolution in the House of Commons?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DANDURAND—This Bill simply pretends to amend the Civil Service Act of 1908, which contains a qualification of the employees and officers of the various departments of the House of Commons and the Senate. The Civil Service Act, although dealing with the status of employees and officers and their salaries, does not vote money to these parties. I have taken for granted that this Bill was not passed on resolution in the other House.

Hon. Mr. LOUGHEED—It was, and had I had that information the other day I should have given it to my hon. friend.

Hon. Mr. DAVID—Why does not the hon. leader of the House accept the suggestion of the hon. member from Portage la Prairie?

Hon. Mr. LOUGHEED—I am prepared to let the Bill stand until to-morrow, and consider his proposition.

The SPEAKER—I hold that this Bill is a money Bill, and I base it on these facts. It was introduced in the House of Commons on resolution on the 10th day of January, 1912. Mr. Borden moved, 'That the House do go into Committee of the Whole to-morrow, to consider the following proposed resolution: That it is expedient to amend the Civil Service Act by providing that the private secretaries of the minister, may be appointed clerks in division B of the first division, or sub-division A or B of the second division, and be paid the salary of the maximum in the subdivision.' Whereupon Mr. Borden informed the House that His Royal Highness the Governor General having been informed of the subject matter of the said resolution recommends it to the House.'

The following day, on the 11th January, the following resolution was adopted, that is the resolution I have just read. Then the said resolution was reported, read a second time, and agreed to. Mr. Borden then presented Bill (60) An Act to amend the Civil Service Act, which was read a first time, and ordered for second reading at the next sitting of the House. I have in my hand the discussion which took place on this Bill, and I see that everybody assumed that there was no resolution presented in the House of Commons. The Hon. Mr. Kerr said:

> Ordinarily the rules applied with reference to the resolution upon which a money Bill has to be founded. Apparently the government did not recognize this Bill to be any such thing, and did not present any such resolution.

Hon. Mr. LOUGHEED—It was my fault. I have no doubt the question was asked me, but I was unaware of the resolution.

The SPEAKER—Further on, the Chairman said:

> You want me to decide whether it is a money Bill or not? I decide it is not a money Bill, and I base my decision on the fact that this Bill was not introduced in the House of Commons by way of resolution, the consent of His Excellency the Governor General having been previously obtained.

So we see by the discussion that the information should have been given to this House and then the hon. members would not have taken that stand. A money Bill introduced by resolution of the House on the report of the committee is a money Bill. Accordingly I declare it to be a money Bill.

Hon. Mr. DAVID—That should not affect the offer that the hon. member for Portage la Prairie has made. That if it is made two years instead of one he will accept the Bill.

Hon. Mr. LOUGHEED—If my hon. friend from Portage la Prairie had made the suggestion when the matter came up I should have been very glad to accept it; but I fancy, notwithstanding the merit of the suggestion, the Senate would be reluctant to place itself in conflict with the Com-

mons in seeking to amend a money Bill no matter how desirable such an amendment would be, and it seems to me it would not be in our interest to consider such an amendment.

The SPEAKER—The motion is that this order of the day be discharged and that the Bill be ordered for third reading tomorrow.

Hon. Mr. KERR—We are getting into an inconvenient practice in this case. The Bill simply provides that certain persons who are not now in the civil service can be placed on the civil service list on a certain status. The fact that this Bill may give them the right to be paid out of the treasury does not make this a money Bill. I hope the Speaker will understand I am speaking with all deference. I simply desire to say that I do not think it follows, that it must necessarily be a money Bill because the Bill was founded upon a resolution that has been introduced.

In other words that a Bill founded on a resolution must necessarily be a money Bill. Hon. gentlemen will see what will happen. For the purpose of preventing a change or to prevent the Senate dealing with it at all, it might be founded on a resolution, and that would in effect cut out the jurisdiction of the Senate to deal with it according to that rule. It seems to me, therefore, that this might be open very well for further consideration, because we must look at the Bill to see whether it is actually a money Bill. If this Bill had provided that certain persons should be paid a certain sum of money, that would be one thing, but it is quite another matter to say that persons who are in the public service and in receipt of salaries now, are to be entitled to be placed upon the civil service list of a certain status is necessarily a money Bill. It strikes me that it is open to a good deal more consideration than we have been giving it as yet, and I would like, before we pass the Bill, to have an opportunity of discussing it again.

Hon. Mr. LOUGHEED—It seems to me, out of courtesy to the other House, when a Bill comes down preceded by a resolution of the House, we are bound, out of courtesy to the Commons, to accept it as a money Bill. To assume otherwise would be to presuppose that the presiding officer of the House of Commons would be a party to an attempt to deceive this House, with a view to lead us to believe a Bill is a money Bill which really was not. We can scarcely assume the House of Commons, in the first place, and the Speaker, in the second place, would resort to that form of evasion for the purpose of securing any advantage to which they would not be entitled by hampering the Senate in passing upon such a measure. With reference to the period of time mentioned in the Bill, I would regard that as one of the terms of the hiring, so to speak, and it seems to me it is germane to the payment of the money itself. It is one of those terms, and if we can alter a term, of payment, which is of the essence of the contract, it seems to me we can amend any money Bill so long as we keep our hands off the actual amount mentioned. However, I defer to the House.

Hon. Mr. DANDURAND—The matter of the Bill itself is not of sufficient importance, for myself at all events, to decide to challenge the decision of his honour the Speaker, and I let the matter rest there, although I would not like that it should be cited as a precedent some day when we would feel like going more deeply into the same question. I take it that his honour has given mature consideration to the matter. The question as to all Bills which are preceded by resolution being declared to be money Bills that we could not amend is a proposition which would require to be more fully examined.

The motion was agreed to.

BIOLOGICAL BOARD OF CANADA BILL.

The House resolved itself into committee of the Whole on Bill (118) An Act to create the Biological Board of Canada.

REPORTED FROM COMMITTEE.

Hon. Mr. LOUGHEED—In connection with this Bill I might say that it is proposed that two officers of the Marine Department shall act upon this board gratuitously, together with representatives from the various universities of Canada

who take up the question of biology. The intention is that the board should be a kind of honorary one, and the only charge against the revenue of Canada will be their actual expenses.

Hon. Mr. ELLIS—What sort of check is kept upon them? The number may increase to eight or nine at least.

Hon. Mr. LOUGHEED—I am going to ask for an amendment to clause 4 when we come to it. There are certain universities mentioned in clause 4 but it has been ascertained since the third reading of the Bill in the House of Commons that other universities in Canada have taken up the study of biology, and they regard it as unfair that certain universities should be named in the Bill and others not mentioned. Class 4 reads as follows:—

4. The board shall consist of two members appointed by the minister, one appointed by each of the Universities of Dalhousie, Laval, McGill, New Brunswick, Queen's and Toronto, and one appointed by each of such other universities (to be named by the minister) as may engage in the work of biological research.

I move that this clause be stricken out, and the following substituted:

The board shall consist of two members appointed by the minister and one additional member appointed by such universities (to be named by the minister) as may be engaged in the work of biological research.

The amendment was adopted.

On clause 5,

5. The board shall have charge of all biological stations in Canada, and shall have the conduct and control of investigations of practical and economic problems connected with marine and fresh water fisheries, flora and fauna, and such other work as may be assigned to it by the minister.

Hon. Mr. BOYER—What is the meaning of the phrase, 'marine and fresh water fisheries?'

Hon. Mr. LOUGHEED—The Marine Department, I suppose, are partial to the term and seem to have passed it. However, I shall make inquiry before the third reading.

Hon. Mr. BOYER—Marine has nothing to do with the fisheries.

Hon. Mr. LOUGHEED—To what extent they would make inquiry into salt water fisheries I do not know. They would, I suppose, into the waters that are territorially our own, but I should say they would not have authority to go beyond the three mile limit.

Hon. Mr. BOYER—That is understood, but the expression I object to is 'Economic problems connected with marine and fresh water fisheries, flora and fauna.

The clause was adopted.

On clause 6,

6. The board shall meet annually at the city of Ottawa, and at such meetings shall elect one member to be chairman and another to be secretary-treasurer, who shall hold office until the next annual meeting.
2. Other meetings of the board shall be held at such places and at such times as are necessary for the work of the board.

Hon. Mr. BOYER—There is no proviso in the Bill for the appointment of a secretary-treasurer. Who makes the appointment?

Hon. Mr. LOUGHEED—The board will regulate its own proceedings, I presume.

Hon. Mr. DANDURAND—Under clause 7?

Hon. Mr. LOUGHEED—They may make their own by-laws.

The clause was adopted.

Hon. Mr. DAVID, from the committee, reported the Bill with an amendment, which was concurred in.

The Bill was then read the third time and passed.

SECOND AND THIRD READINGS.

Bill (E 3) An Act for the relief of William Alexander Hunt Jenkins.—Hon. Mr. De Veber.

Bill (F 3) An Act for the relief of Edith Harriet Duffy.—Hon. Mr. De Veber.

Bill (G 3) An Act for the relief of John Angus Kennedy.—Hon. Mr. De Veber.

BRITISH AMERICAN TRUST COMPANY BILL.

THIRD READING.

Hon. Mr. WATSON—I wish to correct an error. The hon. member from Ottawa (Hon. Mr. Belcourt) moved that Bill (T 2) should be referred back to the committee for further consideration, to insert a clause, and the order was passed to make it comply with the Ontario Trust and Loan Companies Act, with reference to the power to issue debentures on debenture stock. The mistake was made by the gentleman who spoke to the hon. member from Ottawa (Hon. Mr. Belcourt) looking at Bill (T 2) as originally printed. That particular clause referring to debenture stock was struck out of the Bill entirely, as passed by the committee and reported to the House, the reprint of Bill (T 2), and I move that the proceedings of this day on Bill (T 2) An Act to increase the British American Trust Company, be read.

The proceedings of the House being read,

Hon. Mr. WATSON moved that this entry be rescinded and expunged from the 'Minutes.'

The motion was agreed to.

Hon. Mr. WATSON moved the third reading of the Bill.

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

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

THE SENATE.

TUESDAY, March 19, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

SECOND READINGS.

Bill (68) An Act respecting Queen's University of Kingston.—Hon. Sir Mackenzie Bowell.

Bill (69) An Act to incorporate Queen's Theological College.—Hon. Sir Mackenzie Bowell.

DAVIDSON DIVORCE CASE.

Hon. Mr. BOSTOCK, from the Committee on Divorce, presented their report on the application of David George Davidson for a Bill of Divorce, and moved that the report be adopted presently. He said: It is getting close to the end of the session and as there is nothing unusual about this case, there is no reason why it should not be put through at once. The petitioner's wife left him shortly after they were married, and he did not see her again for eighteen months. She afterwards came back from Winnipeg, and when he saw her again she had a child with her. The child did not belong to him. The House will agree that the evidence is plain.

The motion was agreed to on a division.

THE SEELEY DIVORCE CASE.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. BOSTOCK, from the Committee on Divorce, presented their report on the application of Keitha Seeley for a Bill of Divorce, and moved that the report be adopted.

The motion was carried on a division.

THIRD READINGS.

Bill (B 3) An Act respecting the St. Clair and Erie Ship Canal Company.—Hon. Mr. Gibson.

Bill (C 3) An Act respecting the Mexico and Northwestern Traction Company, Limited, and to change its name to the Mexico and North Pacific Railway Company.—Hon. Mr. Watson.

Bill (D 3) An Act respecting the Alabama Traction, Light and Power Company, Limited.—Hon. Mr. Dandurand.

BILLS INTRODUCED.

Bill (H 3) An Act for the relief of Keitha Seeley.—Hon. Mr. Derbyshire.

Bill (I 3) An Act for the relief of David George Davidson.—Hon. Mr. Watson.

Bill (140) An Act to amend the Fisheries Act.—Hon. Mr. Lougheed.

Bill (38) An Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

Bill (98) An Act respecting the Canadian Pacific Railway Company.—Hon. Mr. Watson.

RATES ON THE INTERCOLONIAL RAILWAY.

MOTION.

Hon. Mr. CASGRAIN moved:

That in the opinion of this House the rates on the Intercolonial railway should, like those of other railways, be subject to the control of the Railway Board.

He said: I have already spoken on this motion. Since it has been on the order paper, I think most of the members of this House have received a letter, and also a resolution, from the Board of Trade of the city of Montreal. I have received this morning another letter from the Canadian Manufacturers' Association. It is as follows:

Montreal, March 15, 1912.

Hon. J. P. B. Casgrain,
The Senate,
Ottawa.

Honourable and Dear Sir,—I beg to enclose herewith copy of letter which I have forwarded to the hon. Minister of Railways containing a resolution favouring the placing of the Intercolonial railway under the Railway Commission. This resolution is practically the same as that of the Montreal Board of Trade.

We have heard of the keen interest which you are taking in this matter and trust that your efforts will be successful.

Yours faithfully,
H. T. MELDRUM.
Montreal Secretary.

The letter addressed to the Minister of Railways and Canals, Ottawa, reads as follows:

Montreal, March 15, 1912.

To the Hon. Frank Cochrane,
Minister of Railways and Canals,
Ottawa.

Hon. and Dear Sir,—I beg to advise you that at a meeting of the Executive Committee of the Montreal branch of the Canadian Manufacturers Association, the representations which had been made to your department to have the Intercolonial railway placed under the jurisdiction of the Board of Railway Commissioners for Canada, were considered, and the following resolution was unanimously passed.

Resolved, that the best interests of all shippers would be more properly served if the Intercolonial railway were placed under the jurisdiction of the Railway Commission, which would result in rates being maintained on an equitable basis all over that railway;

That the Intercolonial railway has a great number of private special rates to which the public have no access, and that were the Intercolonial railway governed by the Railway Act, these rates would have to be filed with the Railway Commission, and posted at each Intercolonial railway office for the information of the public, and thus shippers would know exactly what rates are being charged;

That the Intercolonial railway is in competition with the Canadian Pacific railway to points such as St. John, N.B., and its seems to be an anomaly that the Canadian Pacific railway should be governed by the Board of Railway Commissioners and the Intercolonial railway be free from such control;

That in the opinion of this committee, were the Intercolonial railway governed by the Railway Act, the Minister and the railway officials would be relieved from the political pressure for preferential treatment as to rates, &c., to which they are now liable.

I have the honour to be, sir,
Your obedient servant,
(Sgd.) H. T. MELDRUM,
Montreal Secretary.

I do not think it is necessary to take up the time of the Senate discussing this question. I find it is the unanimous desire of the shippers of this country that the rates on the Intercolonial railway should be placed under the control of the Railway Board.

Hon. Mr. McSWEENEY—What is Mr. Cochrane's answer?

Hon. Mr. CASGRAIN—The Minister of Railways has not, so far as I know, given any answer. The matter has been shelved. It is a long-standing grievance, and it is time to have an opinion expressed by this Chamber, which might do something to relieve it.

Hon. Mr. ROCHE—On the last occasion when I had the pleasure of hearing my hon. friend from Montreal, I do not think that he set out sound reasons for the proposed change. The reasons which he did give were not acceptable to myself, or, I think, to the members of the Senate. What is aimed at? What is complained of? The complaint seems to be that there are certain special rates given to certain industries and certain occupations which are not given, as through rates, apparently, acceptable to the Board of Trade of Montreal; in other words to bring it down to plain English, that the whole trade of the country should be governed from Montreal, and that there should be no other interest considered but that which will bring money to the pockets of Montreal merchants and Montreal managers.

Hon. Mr. CLORAN—That's right.

Hon. Mr. ROCHE—In this connection it is necessary to review what the Intercolonial railway is. I remember very distinctly that prior to confederation, there was an arrangement between Canada and the maritime provinces for the building of the Intercolonial railway. The arrangement almost reached maturity, and was to this effect: That the province of Nova Scotia should pay two and a half twelfths; that the province of New Brunswick should pay two and a half twelfths, and that the Canadas, Upper and Lower Canada, should pay seven twelfths of the construction of the Intercolonial as then projected as a mercantile project. For some reason or other, although the lower provinces were disposed to adhere to the arrangement, the Canadas receded from it. I heard the question debated in the House of Assembly in the old province of Nova Scotia, and there were some severe strictures made both upon the honesty and the good faith of the parliamentarians of Canada for receding from the bargain made and arranged between the various provinces. Why was the Intercolonial railway made a stipulation in the articles of confederation? It was from the opinion held throughout the country generally that the Intercolonial railway would be a bond between the various provinces, and also that it would help material interests in various sparsely populated parts of the country, and thus the Intercolonial railway was made expressly as an implement for aiding those private industries, which could not afford to pay full or through rates, in order that they might be started and have the assistance of the whole country through the Intercolonial railway in carrying on their business.

Hon. Mr. CASGRAIN—At the expense of the country.

Hon. Mr. ROCHE—I believe that there are industries which have been established and maintained in the lower part of Quebec and the northern part of New Brunswick only through supplementary rates and by allowances made by the Department of Railways to those industries; and therefore carrying out the proposal of my hon. friend, might strike a serious blow at such industries which depend upon favoured treatment by the Railway Department to enable them to carry on their business, and without which their business might be overthrown and might fail utterly.

Hon. Mr. CASGRAIN—The hon. gentleman states that the business of these people would be ruined if they had to pay rates on the Intercolonial railway the same as they would have to pay on other roads.

Hon. Mr. ROCHE—I have been told so.

Hon. Mr. CASGRAIN—Their business would be ruined if they paid the same rates as other people have to pay ?

Hon. Mr. ROCHE—I have been told that the rates on the Intercolonial railway were fixed so as to be an assistance to these really struggling industries, which are located in sparsely populated parts of the country, where the ordinary passenger and freight rates would not pay, and where the industries could not afford to pay the average rates. I do not think it is right to throw the whole business of the country into the hands of great cities like Montreal and Toronto. In my opinion that would be a retrograde movement. It is likely that the controlling department of the railway at Moncton has well considered this proposition, and has considered the requirements of these industries, and has fixed discriminating rates so as to assist them. Until I can hear some good and substantial reason from my hon. friend from Montreal, whom I am desirous of helping with every measure of his, (but not this one), I shall be inclined to relegate this question to the Department of Railways, which at present makes these rates in order to help these struggling industries.

Hon. Mr. MITCHELL—The hon. member from Halifax (Hon. Mr. Roche) said the hon. gentleman from Montreal (Hon. Mr. Casgrain) has not made out any case why the rates on the Intercolonial railway should be put in the hands of the Railway Commission. The hon. member from Halifax (Hon. Mr. Roche) has not made out any case to the contrary. That railway

should be put under the Railway Commission because their rates are not uniform and discrimination is practised. The rates are not fair to the different parts of his own province and to the province of Nova Scotia. The fact that the Intercolonial railway was built to bind confederation together should be no reason for allowing them to make rates that are unjust and that discriminate.

Hon. Mr. CHOQUETTE—For the reason given by the hon. gentleman who has just sat down, I wish to say a few words on this question. The hon. member from Halifax (Hon. Mr. Roche) said the manufacturing industries in his province would be ruined if the tariff of rates on this railway were put under the control of the Railway Commission. That, I think, was the best proof that discrimination in rates is practised on this railway. I am told that some parties get rates that are only a third of what other people have to pay. I know that in Quebec we have been asking for a uniform tariff on the Intercolonial railway for some time, and I have been given examples of the discrimination prevailing in the rates between the different cities in the provinces on goods carried both east and west. Why should the people in the maritime provinces be favoured in the matter of rates on this railway? In my opinion, the tariff of rates on this road should be put in the hands of the Railway Commission.

Hon. Mr. BEIQUE—When this matter came before the Senate some time ago, I suggested to the hon. member from De Lanaudière (Hon. Mr. Casgrain) that he should ascertain from the reports of the Intercolonial railway whether his premises were exact or not, whether there was discrimination in rates. Since I spoke in this House on that question, I have received from the Board of Trade of Montreal a statement which gives in detail cases where, to their knowledge, discrimination in rates is practised. As far as I am concerned, I am satisfied with that report, which shows that there is ground for complaint against that railway. One of the objects of creating the Railway Commission was to prevent that state of things, and I think it is neither fair to the public, nor to the railways, nor to the different localities, to allow a government railway to follow rules which cannot be followed by other railway companies that are in competition with that railway company. One locality should not be treated differently from another. For these reasons I propose to support the motion.

Hon. Mr. THOMPSON—While I live in the maritime provinces, I do not reside on the line of the Intercolonial railway, so that any views I may have with respect to the road would not be of a personal character. I do not think the presentation of this matter before the Senate to-day has shown that a grievance exists. Even this memorial from the Board of Trade of Montreal does not point out any one thing definitely. It simply says that they are 'informed.' No grievance has been laid before the House which you can place your finger on in respect to discrimination on the Intercolonial railway as it runs through the maritime provinces, as compared with the freight rates on the other railway systems that go through the same provinces. The hon. gentleman from Gananoque, who has shipped a great quantity of goods over many roads to different portions of the maritime provinces, said the ohter day, in the discussion, that there was no grievance as far as he knew, and that there were no discriminating rates as between terminal points. But this House must remember that the Intercolonial follows the coast line, and that they compete with vessel trade. It would be a question whether the Intercolonial railway should not carry lower on that coast line than, perhaps, the Canadian Pacific railway would carry it in the centre of the province, because of the competition of vessels at almost every station.

Hon. Mr. MITCHELL—The Railway Commission has dealt with that question in other provinces.

Hon Mr. THOMPSON—I understand that. There is no disposition on the part of the Railway Commission, nor do I learn that the public have demanded that this matter should be dealt with by bringing the Intercolonial railway under the jurisdiction

of the Railway Commission. The only evidence we have before this House, and upon which we are asked to determine by a vote that the Intercolonial should be placed under the Railway Commission, is this memorial from the Board of Trade of Montreal, which represents a disgruntled shipper; but they do not themselves take the responsibility of saying that these grievances exist. They say: 'We are informed.' Before this House acts definitely in respect to a matter which can be dealt with by the other branch of parliament very much better than by the Senate, and whose advice naturally would be taken with respect to these matters in preference to the advice of the Senate, so far as the Railway Department is concerned, because the Minister of Railways is a member of that branch of parliament, we should have definite information. We should be able to say that such and such is the case. There is not in this case anything more than a pinhead grievance. The matter has not been placed before this House in such a manner that a member can exercise real sound judgment in voting on this motion.

Hon. Mr. BELL—There has always been a tendency, in dealing with matters in relation to the Intercolonial railway in parliament, to regard it as a property that was built entirely for the benefit of the maritime provinces. I know that is the case in the other Chamber, and I think it is the case here to a considerable extent, and in the west also. That is a great mistake. The Intercolonial railway has undoubtedly been of great importance to the people of the maritime provinces, but it has been of even greater importance to the people of Quebec and Ontario and, though not to such an extent, to the western provinces, but certainly it has been to the great merchants of Quebec and Ontario. One of the results that was feared in the east at the time of confederation was that the business of merchants in the maritime provinces would be interfered with as a result of confederation. That was realized, and I think almost all, or a great many business men in Ontario and Montreal, will admit that the one best market they have is the maritime provinces. That has always been the case and is the case to-day. The result of confederation was to transfer the wholesale business that had formerly existed in the maritime provinces, to Montreal, Toronto and other western ports, so that to argue that all the advantages derived from the Intercolonial railway are derived by the people of the maritime provinces is absolutely incorrect. The most that can be said is that it is a mutual advantage, and if any loss were incurred in the management of the Intercolonial railway, it should be made good by the people of the country. It is not for the maritime provinces alone, but quite as much for the benefit of the people of the larger provinces, Ontario and Quebec.

Hon. Mr. POIRIER—Very much more.

Hon. Mr. BELL—The fact of the matter is that they derive greater advantages. It is now proposed to take a vote on this question and to commit this Senate to a proposition of this kind when it is manifest that we are absolutely without knowledge of the subject. What do we senators know about the details of this matter? What do we know about the innumerable small arguments that have induced the management of the Intercolonial railway to make their rates what they are to-day? We know nothing at all, and when you propose to place the Intercolonial railway in exactly the same position as all the other business railroads of Canada, you are undertaking to do something which should not be done, because the Intercolonial railway stands in a class altogether by itself. In the first place, the Intercolonial railway was a political road, built in order to bring together the scattered provinces which went into confederation. In the next place it is a political road because it had to be constructed over a route which would be made as secure as possible from attack by the enemy, and therefore it had to pursue a route which would not be adopted by a line constructed for purely commercial purposes. It was built through a part of the country and placed in such a position that it would be a difficult matter to make it pay. That is not the fault of the maritime provinces, or the fault of the people of Canada. The consideration that had to be kept in view

was to place that road where it would serve the purpose of uniting the provinces together, and where it could be kept as secure as possible from any chance of attack.

Now, what is the result? The result is that in the Intercolonial railway we have a line with two productive ends and a non-productive middle. So far as the maritime provinces are concerned, they supply a business to the Intercolonial railway which makes it a very profitable road; but there is a long haul across the province of Quebec through an undeveloped country, which is a tax, and always will be a tax upon the resources of the road, preventing it from becoming a money making line. We have had two increases in the rates upon the Intercolonial within the last ten years, and the people of the maritime provinces are now, I think, paying enough for the freight that is being carried for them on that line of railway. They are not favoured; they do not consider themselves favoured; and they do not see any reason why they should be compelled to pay excessive rates in order to make up a loss that is due to another part of the system. The centre of the system was not placed where it is at their suggestion; the location of the line where it exists to-day was regarded at that time as a political necessity. Another important fact was pointed out by the hon member who spoke last; at almost every point in the whole length of the Intercolonial railway it is in competition with water carriage. Well, it may be said, if that is the case the Railway Commission would take those things into consideration. I presume they would; necessarily they would have to take them into account; and the chances are that if they did they would find it quite impossible to apply the ordinary tariff, and the ordinary regulations to the operation of that road. There are points where water carriage makes such strong competition that you must adopt lower rates or go without business. Then again, there are considerations which probably induce the management to make different rates between the east and the west on that line. For a very long time in the history of the Intercolonial railway it was simply a means of carrying manufactures, flour and supplies of various kinds to the maritime provinces. Year after year the cars of that road had to come back west empty because there were no freights for them; and what would be more natural, or more necessary, than that the railway management should endeavour, by lowering their rates westward, to secure in some way freight for their cars? They have done that, they have been compelled to do that. They have made all sorts of efforts to make that road profitable by securing freights for the cars coming west. They have gone to the expense of filling box cars with coal and cleaning those cars out at the end of their journey in order to get some freight west; and in that way, and in that way alone, they could hope to get some business. We cannot pronounce judgment satisfactorily or safely at a moment's notice here upon those matters. We would require to be put in the same position as the board of management, of the Intercolonial railway, or of the traffic manager. Probably if we had time enough to spend with him we could see the reasons why the tariff rates on the Intercolonial railway are what they are to-day.

The principal grievance seems to be in the city of Montreal. No one else is here petitioning with reference to this matter. Montreal is a very important centre, yet I do not think we are warranted in taking hasty action upon representations coming from a place even as important as Montreal, unless it is supported by the rest of the community. What do these complaints amount to? They say they have to pay a higher freight rate sending goods one way than they pay sending them the other. If there is a higher rate from Montreal, the people in the maritime provinces have to pay it. If there were discrimination on the freight going east between Toronto and Montreal, there might be some ground for complaint, but if the people who are shipping from the west to the east get the same rate, then there is no hardship at all. The freight rates have to be paid by the people of the maritime provinces and not by the merchants who make out the bills of lading and ship the goods. I have not had anything presented to me showing that they are subject to unfair competition. And we are called upon to take a hasty vote on a subject upon which we have very

little information. We have no schedule produced. All we have is a memorial from one institution in the city of Montreal, and they do not make an affirmation. They merely repeat a report that they claim to have heard. There is no material on which we can act. What are we asked to do? We are asked to interpose between the government of the country and the management of this railway. The government has had this railway in its hands since it was built, and we are asked to take it out of the hands of the government and place it in the hands of the Railway Commission. It is manifest that there is no advantage to be gained by such legislation as this. If this is not a government measure, then it must be a measure that undertakes to dictate to the government as to the manner in which the Intercolonial railway is to be controlled. It would be an idle thing for us to invite a rebuff by undertaking to take a snap vote on a resolution of this kind, instructing the government of Canada that it should give up the control of the Intercolonial railway and pass it over to the Railway Commission. What was done by the government of Sir Wilfrid Laurier when the Railway Commission was formed? The Intercolonial railway was deliberately excluded from the operation of that commission. It has never yet been placed under its control, and if at any time it should be considered necessary to place the Intercolonial railway under the control of the Railway Commission, then it is for the government to do so. We are not being treated fairly in this matter, and I want to protest against any idea that the people of the maritime provinces have been exceptionally dealt with as far as the Intercolonial railway is concerned. They have paid ample rates. It was not constructed specially for them. It was constructed for the general advantage of Canada at that date, and we should relieve our minds entirely of any impression that the people of the maritime provinces are getting any advantage.

Hon. Mr. EDWARDS—If a vote is taken on this motion it will not be on a sectional question, or a question of rates, or anything of that kind, but it will be a question of principle, as to whether one railway is to be singled out for exceptional control. Those who are advocating that these rates should not be placed under the Railway Commission might just as well argue that the Canadian Pacific railway, running through British Columbia should also be removed from the control of the Railway Board. That railway was also built under an agreement—an agreement with British Columbia when it came into confederation. That argument, therefore, falls absolutely to the ground. I have no sectional feeling, and have nothing against the maritime provinces. I wish them well in every respect. I cannot understand why they object to a condition by which every grievance that they may have with the Intercolonial railway shall be referred to the Railway Commission just as is the case when they have a grievance with any other railway company. It is not a question of rates; the question is, shall that railway be exempt from the control of the Railway Commission. Because it is a government railway, and owned by the people of Canada, is no good reason why it should be exempt. I do not think any argument has been adduced by the hon. gentlemen who have spoken on the question. They have discussed it far afield. It is a question of principle as to whether this railway shall be placed under the Railway Board the same as other railways.

Hon. Mr. DOMVILLE—This question affects us considerably in the maritime provinces. I do not like to have this discussion about the Intercolonial railway coming up all the time, and to have hon. gentlemen saying that it was built for the benefit of the maritime provinces. Some people say it would have been better if we had never been joined with Canada at all. I do not say that. The Intercolonial railway has been a political football from its inception. I am not blaming one government more than another. I have no reason to doubt that if this present government have a strict eye on that railway they will make it pay, but if you make a political football out of it, as it has been made, graft from one end to the other, then you cannot expect the road to pay. I

say every credit is due to Mr. Pottinger. He has had to steer a course between the different governments and has done well, but he has been handicapped right along by political and other influences. The rates on the Intercolonial railway are not low. I might quote the case of cordwood, the rates on which are prohibitive on that road to-day. Cordwood is a great source of revenue to the farmers, and the reason cordwood cannot be shipped on the Intercolonial railway is because the rates are too high. I agree with the hon. member for Pictou; I think he is perfectly right. We do not use the Intercolonial railway at St. John; we use the Canadian Pacific railway, and will continue to do so. Ships are loading and unloading there, but the goods are not shipped on the Intercolonial railway. My friend referred to the commission and said that they should have but one object in view. I might join him in that, but I might not vote for his motion. I think arbitrary conditions on the Intercolonial railway should be wiped out, but if arbitrary conditions are imposed, then we should hold the government responsible. Take the commission we have to-day; I do not know how many private cars they have not got to take their families around, and that all goes to the debit side of the account, and you cannot get any satisfaction out of them, because you have placed in their hands an arbitrary power to do whatever they like without any appeal. I do not wish to make a statement that I cannot substantiate, but I think some statements might be made that would open the eyes of this honourable House and the country with regard to the management of that road. I am not talking of any particular party. If I were talking I should say it was within the last ten years, but I am not talking as a partisan, I am talking as a New Brunswicker, and I protest against the railway being thrown in our teeth all the time. It is a good asset. The government were offered three or four per cent on one hundred millions by a company who were willing to take over the road. I am not in favour that the power should be given to three men to make rates and do what they like. I agree that there should be an appeal, if possible, to the Railway Board, or that the people should have something between them and the government. But then I cannot hide my eyes from the question, Why cannot the government do it? They are able to do it; they are only just in power, and I presume they will do justice to New Brunswick; therefore, it is for them to take into consideration all the arguments made by my hon. friend and others as to the best position in which to place the Intercolonial railway. It is up to the government to do that. I cannot join with my hon. friends who find so much fault with the Intercolonial railway. It is a good railway; it has a beautiful roadbed; there is plenty of work; and what we want is not to milk that country at the start, or bleed it to death by graft, but to so run it as to develop all the industries in accordance with the conditions; then we will have a paying line. The Intercolonial is a magnificent road, and it is very well run, but the arbitrary board of two or three men placed there should be controlled and curbed in some way.

Hon. Mr. DERBYSHIRE—We will see that they are curbed.

Hon. Mr. DOMVILLE—The rates are high enough, but we should not allow rates to be put there in order to save five hundred thousand dollars or a million dollars and have two or three hundred locomotives tied up at Moncton as assets that are not worth the snap of a finger. We will ask the government to look seriously into the whole management of the Intercolonial, and while doing justice to the whole of Canada, to do justice to the maritime provinces, and look into the rates that the farmers have to pay, into the conditions of the country, and see how they can make that road build up the country. They should make it pay by good management and not by starving us here and there in order to show an apparent surplus or improvement for the benefit of officials who want to make a reputation for themselves. The government cannot ignore representations such has been made in the Senate by the hon. member for Pictou and others, and I have no doubt that they will look into the administration and see how far the rates can

be so adjusted over the country as to make a working proposition of the railway.

Hon. Mr. CAMPBELL—I was struck with the manner in which this resolution was received, especially by the members from the maritime provinces who spoke. My hon. friend from Fredericton (Hon. Mr. Thompson) was quite excited, and spoke with a good deal of warmth and feeling. His principle point was that the mover of the resolution had shown no reason why this railway should be placed under the Railway Commission. On the other hand, what reason did he give that it should not be so placed? It does seem an anomaly that a road twelve hundred miles long running through the maritime provinces, competing with the Canadian Pacific railway which is now under the jurisdiction of the Railway Commission, should not be placed in the hands of the commission the same as the others. What are my hon. friends afraid of? Are they afraid that the Railway Commission will not do justice to them, and to the Intercolonial railway? It is quite true, as the hon. member for Pictou pointed out, that a portion of the Intercolonial railway runs through a barren country; that it has to compete with water communication at very many points; that the rates on the Intercolonial railway must necessarily be low, which we all admit. These things, however, would be all taken into consideration by the Railway Commission.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. CAMPBELL—I think the Intercolonial railway is a great benefit to the maritime provinces, and also to the other provinces of the Dominion. If the rates on flour to the maritime provinces are very low, they enable the millers of Ontario to send their produce down there in competition with the world, while the maritime provinces get the benefit of that by reason of the low freights, and consequently the low price of the products. For these reasons, I cannot see why my hon. friend should get so excited over this matter. It is a simple proposition to place this road in the same position as all other roads in the Dominion. I remember when the Railway Commission Bill was first introduced in the House of Commons, a few years ago, a very strong protest was made to the then government, by a number of members of the House of Commons, against the proposition to put the Intercolonial railway under the Railway Commission. I supported the government at that time in not placing it in the hands of the Railway Commission, and for myself, I am disposed to give the new government a little further trial. I believe that eventually this road must be placed in the hands of the Railway Commission the same as every other road, and I believe that the Railway Commission is composed of men of experience who are thoroughly impartial, who have better knowledge, owing to their dealings with all the other roads, of what is right and wrong than any other party that can be put in charge of it. Therefore I believe that sooner or later this road must be placed under the Railway Commission, and I am satisfied that the commission having control of this road, as they have of all the other roads in the Dominion, will deal fairly and justly and rightly with the people of the maritime provinces and the rest of the Dominion. At the same time, I think we should not be hasty. Let us wait another year or so and see how the new government develop their policy, and if we find that it would be better then to put it in the hands of the Railway Commission, we will take the question up. In the meantime, I think it is only fair that the government should have a chance to see how they can manage the railway.

Hon. Mr. CASGRAIN—It is only an expression of opinion.

Hon. Mr. CAMPBELL—Of course, I know it is only an expression of opinion.

Hon. Mr. POIRIER—We are likely to be called upon to vote on this question, which I consider a momentous one, and before casting my vote I would ask my hon. friend from Montreal if, before bringing this matter into the Senate, he held any consultation with the Minister of Railways and Canals.

Hon. Mr. CASGRAIN—I read before the Senate, and I placed in the 'Debates,' all

the correspondence that passed between the various boards of Trade and the Minister of Railways, not only under this government, but under the late government. Memorials were presented to the Hon. Mr. Graham, and other memorials have been forwarded to Hon. Frank Cochrane, the present Minister of Railways, stating reasons why the Intercolonial railway should be placed on the same footing as other roads. One of the main objects was to give the people of the maritime provinces, and of Quebec, through which that railway runs, a tribunal to which they can appeal. As the hon. member from Rothesay (Hon. Mr. Domville) said so well, there are very often arbitrary rules on the Intercolonial railway from which there is no appeal; but under the Railway Commission the people in the provinces would have an appeal to an impartial tribunal in order to secure their rights and redress.

Hon. Mr. POIRIER—Those points I knew, and so far as they go they are all right. So much has been said about the maritime provinces deriving almost the entire benefit from the building of the Intercolonial railway that I will ask my hon. friends if the boards of trade of St. John, Moncton, Amherst and Sydney have been consulted? I ask this, not to put any obstacle in the way, but in order to move slowly on a question that is possibly more momentous than some of us may imagine. I have my own reasons for saying that. I ask my hon. friend if those boards of trade have been consulted.

Hon. Mr. CASGRAIN—I am not in a position to answer that.

Hon. Mr. POIRIER—While by no means condemning a move which, I believe, will eventually crystallize, my own impression is that at this present moment it would be premature to vote this resolution and urge it upon the government. Much has been said about the management of the Intercolonial railway; that the commission is a tribunal of last resort and no appeal from it; that the Railway Commission is a body from which adequate justice always emanates. I beg to differ a little from that view.

I know instances in my own district where anything but justice could be had at the hands of the Railway Commission. It is useless to mention those cases here, but I wish they had been left to the Intercolonial Railway Board, and I am sure the decision could not have been any more biased or worse. The chances are ninety out of a hundred that it would have been more satisfactory. It being known to us now that the interested parties in the maritime provinces have not been consulted, and coming back to the purposes for which the Intercolonial railway was built, I say that Ontario and Quebec derive a larger benefit from the building of the Intercolonial railway than other provinces, just as the western provinces derive a greater benefit from the building of the roads out west than we in the east. The roads built in the west are constructed for the whole Dominion, but primarily the western people get the benefit. Ontario and Quebec have received the greatest benefit from the building of the Intercolonial railway, because from confederation—and it is still continued—they have shipped to us exports and merchandise in the proportion of three to one in comparison with the merchandise that we ship back to them. I would ask my hon. friend not to press his motion to a vote just now, but rather to get in touch with the Department of Railways and Canals, consult the cities on the border, and then, when he has all his documents in hand, and possibly better information than he possesses at present, probably next session, he could bring the matter up, and if the municipalities and boards of trade are favourable to it, I for one, while not unfavourable just now, but hesitating to vote for want of time for consideration, will record a favourable vote.

The House divided on the motion, which was defeated on a standing vote, yeas, 22; nays, 25.

Hon. Mr. McMULLEN—Why should we not have a recorded vote on this question?

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. POWER—The hon. gentleman should have asked earlier.

The SPEAKER—I think it is too late to ask for a recorded vote after the decision is given.

Hon. Sir MACKENZIE BOWELL—This voting by rising is not usual or customary when a vote is taken in the Commons or in the Senate. When a vote is demanded the members should be called in and the names recorded. In committee the voting is by rising. I merely mention the regular practice of parliament. I know we have been in the habit of asking members to rise without recording the names. I have not taken objection to it in the past, but I think we had better return to the old practice and have our names recorded pro and con.

Hon. Mr. CASGRAIN—All right, call in the members.

The SPEAKER—The practice is, when the yeas and nays are called for, to take a vote by asking the members to rise, and when a recorded vote is desired a request is made to call in the members.

THIRD READINGS.

Bill (118) An Act to create the Biological Board of Canada.—Hon. Mr. Lougheed.

Bill (60) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

TARIFF COMMISSION BILL.

IN COMMITTEE.

The order of the day being called:

Hon. Mr. LOUGHEED—With reference to the amendments which the right hon. gentleman proposes, I am not prepared just at present to discuss them. I am endeavouring to have them harmonize with the scope of the Bill. With reference to some of the proposed amendments, they would not be in harmony with the scope of the Bill, because my right hon. friend seems to pre-suppose that the right is given to the tariff commission to deal with the tariff. The distinction must be drawn between that and the fact that they are simply a board or commission, to make inquiry. They have no authority to deal with questions of tariff.

Rt. Hon. Sir RICHARD CARTWRIGHT—We can discuss those a little better, probably, later on, I think the hon. gentleman is a little in error in saying that any of the amendments deal with the question of increasing the tariff or imposing a duty.

Hon. Mr. LOUGHEED—The proposed amendments would seem to pre-suppose that it is the duty of the tariff commission to recommend an increase of duty, or a decrease of duty, as the case may be.

Rt. Hon. Sir RICHARD CARTWRIGHT—The tariff commission has to make a report.

Hon. Mr. LOUGHEED—To make a report as to certain facts. They have nothing to do with pronouncing on the question of duty.

Rt. Hon. Sir RICHARD CARTWRIGHT—It must, of necessity, when it is sent to report on the demands of certain manufacturers for increased duties, approve of them or not.

Hon. Mr. LOUGHEED—They would have no authority to consider the demands of any manufacturer, and the demands of other manufacturers would not necessarily come before the commission.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not exactly follow my hon. friend. The tariff commission would take pretty much the attitude that the tariff commissions issued by the late government took. That is to say, it would have all these parties who choose to appear before them state their grievances, or what they want to have done for them. Invariably they discussed the amount of extra duty they would like to have put on. The man who wanted to reduce duties did not trouble us.

Hon. Mr. LOUGHEED—This distinction must be kept in view; the late government was practically its own commission, as far as making inquiry was concerned. Certain ministers of the cabinet made inquiry into certain conditions recognizing that they had the widest scope possible to make inquiry and to deal with the subject before them, and that they assumed responsibility for whatever would be done. A distinction

must be drawn between the commission and the government. The government must set the commission in motion for the purpose of obtaining certain facts. It is then for the government, upon the report that may be made as to the existence of certain facts or conditions, to exercise the responsibility which attaches to the government of determining whether there shall be an increase or a decrease of duty. It is with a view of endeavouring to harmonize the suggestions made by my hon. friend that I am having that phase considered. I am not ready at the present moment, in committee, to make any suggestion as to the proposed amendment.

Rt. Hon. Sir RICHARD CARTWRIGHT --What do you want me to do about it?

Hon. Mr. LOUGHEED—To-morrow I will be in a position to state the extent to which the government might accept some of the suggestions made by my right hon. friend.

Rt. Hon. Sir RICHARD CARTWRIGHT —The Bill will stand.

Hon. Mr. LOUGHEED—Yes.

FIRST, SECOND AND THIRD READING.

Bill (J 3) An Act for the relief of Henry Greek Wills.—Hon. Mr. Young.

IMPROVEMENT OF HIGHWAYS BILL.

DEBATE RESUMED.

The order of the day being called:

Resuming the adjourned debate on the motion for the second reading (Bill 77), 'An Act to encourage and assist the improvement of highways.'

Hon. Mr. BOSTOCK—This Bill deals with the general principle of building good roads throughout this country, and I do not suppose that any member of the Senate opposes it upon that ground; but I think there is a great deal to be said against the proposal as it is made in this Bill. The hon. leader of the House said the other day that this question of transportation was one that is affecting the country very largely, and one that is very important to the country. I quite admit that from one end of the Dominion to the other the people are interested in this question of transportation, but more largely as it relates to railways than in building highways. So far in the discussion in this House I have not heard anybody attempt to give a definition of 'highway.' It is a very broad term as I understand it. It may apply to a public foot path, a carriage road, or a highroad. What I think is intended by the title of this Bill is that its object is to improve the main roads throughout this country. The government has taken power, under this Bill, to provide for carrying out this work. In the first instance, they provide that the money may be turned over to the provincial government and an agreement may be made between the Dominion and provincial governments for the purpose of arranging as to the expenditure of this money. It seems that the Dominion government is not satisfied with the work being done by the provincial governments, for they go further, and in clause 6 take upon themselves the power to deal with this question offhand and to build these roads themselves. We all know that the provinces have been, and are at the present time, doing a great deal towards the building and improvement of roads throughout this whole Dominion.

And it seems to me that this Bill is a strong reflection cast by this government on the provinces, although they do not say it in so many words. Practically they say that they do not think that these provinces are going far enough, or doing sufficient towards the improvement of the roads, and therefore they come forward with this Bill and propose that they should take this power out of the hands of the local authorities. The province from which I come has for years been doing good work and spending a large amount of money in opening up roads, but I think it is quite possible that if the government should try to put this Bill in operation they would come into considerable conflict with the province in arranging the work. The province of British Columbia has laid down certain lines on which they carry out the development of their roads, and the government here might not see eye to eye with the government of British Columbia in the matter of building these highways across the Dominion. What the farmer wants to-day in

British Columbia—and I think this is the case in the other provinces—is that the road from his farm to the nearest railway station shall be put in good order and kept in that condition.

Hon. Mr. DAVIS—Hear, hear.

Hon. Mr. BOSTOCK—And if they have good roads from the farms to the railway stations, they want good railway service to carry the produce to the market. In western Canada we are nearly always placed in the position of being a long distance from our market, and it is an important question that all fruit and all farm produce, especially fruit, which is a large part of the produce of the province from which I come, should be transported as expeditiously as possible from the farmer to the point of consumption, and therefore in this matter I think the question of building better roads from the farms to the railway stations is an important one. That, of course, is entirely a provincial matter, and I do not think this government has any right to deal with it. When the British North America Act was passed, as was said the other day by the right hon. leader of the opposition, one of the great objects of the fathers of confederation was to keep the work of the provinces and the work of the Dominion as distinct as possible. One section of the British North America Act states that local work shall be kept distinctly under the control of the province, and it seems to me that the government should not have attempted to deal with this question of building roads in the provinces. I think at the present day it is a very serious matter for the government of Canada to be attacking the constitution of this country in the way proposed by this Bill. This constitution has now been in force for a number of years and has been held up before the civilized world as a model constitution, which should be followed by other countries throughout the world, and I think it has largely been followed in the formation of other commonwealths and dominions throughout the empire.

Now if Canada is to show to the world that when it suits our convenience on the least provocation we are going to annul and destroy a constitution that was so well framed, and that has been held up to the people of the civilized world as a model constitution, it is a very serious step indeed for this country to take. The government are dealing with a matter that is entirely within the domain of the provinces; and doing it at a time when, as we are told, the members of the government have more work on their hands than they are able to attend to, so that it would be necessary to increase the number of members of the government for the purpose of overtaking the work of the different departments. If such is the case in regard to the work that each minister has to deal with, and the work of the government generally, I think it is rather a curious thing that they should bring down a measure of this kind, and try to increase the work of any one department, and deal with it in such a way that the time of the department, as well as the time of parliament, will be taken up with matters that should be dealt with in the legislatures of the provinces.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOSTOCK—Hon. gentlemen are aware that one of the strongest arguments used in England to-day in advocating a measure of home rule for Ireland is that it will help to decentralize the business of the imperial parliament, which has gone on increasing so tremendously, that it is claimed, the business of the country cannot be attended to as it should: and one advantage of a proposed measure when extended to Ireland, Scotland, Wales, and England, would be to confine the local work of Ireland, Scotland, Wales and England to be dealt with by a government or legislature that would relieve the imperial parliament from being tied up with all those smaller details of work which are really only local in character. Those arguments seems to me very strong as showing why the Dominion government should not deal with this question in the way proposed. Of course, it is quite easy to understand that the Dominion government, having come into power on the 21st of September last with the country in a very prosperous condition, found a larger surplus to deal with than had been the case in this country before, for when the Conservative party went out of power in

1896 they had had a series of deficits, and had experienced great difficulty in finding money to run the country. It is natural to suppose that when they returned to power they should say: 'What is the best thing we can do with this money that has come into our hands?' Being a government is a good government.' Of course no course they would not take the view that would have been taken by a government in favour of a low tariff, and try to remit duties and thus lighten the taxation of the people; but they say, 'We are getting this large sum of money into our hands; we have been placed in a position where we have large sums of money to deal with, and the best thing that we can do is to turn around and distribute this money, or hand it over to the various provinces as best we can in order to give them an opportunity of saying that this Dominion government is a good government.' Of course no government, and no individual, can become popular in any part of the world quicker than by distributing money; and that appears to me to be one reason, at any rate, why the government have brought down this measure. The hon. leader of the government stated in his speech that this question of good roads had been made one of the principal planks of the Conservative platform. That may have been the case in the east, but as far as the province of British Columbia is concerned, I do not think the question was ever mentioned. It certainly was not in the upper part of that province, where I had an opportunity of hearing a considerable number of speeches made on both sides during the late campaign. Therefore, I do not see that there was anything on that ground, to be said in the way of urgent necessity for the government bringing down this Bill. It was pointed out by the right hon. leader of the opposition yesterday that British Columbia pays a larger proportion of taxation according to her population than any other part of this Dominion; and I certainly think that if the government do not know what to do with the surplus to which they have fallen heir, they might devise some means whereby they could remit that taxation that is now falling heavily on the Pacific province, and meet the Hon. Richard McBride to some extent in his cry for better terms for British Columbia.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. BOSTOCK—For a number of years we have heard this cry of better terms for British Columbia, and I understand now that the government have under consideration the question of a commission to deal with this matter of better terms. They could not do better than apply their power and consideration to the problem of how they can meet this matter of taxation in British Columbia and not let the proportion of taxation there be so heavy on the people as it now is. In regard to the co-operation between the provinces and the Dominion, we have had some experience in British Columbia over this question in the matter of fishery rights. To a certain extent there is a joint jurisdiction over the question of fishery regulations and, so far as my experience goes, I do not think that co-operation of the Dominion government and the provincial government in this matter has been nearly so unanimous as the leader of the government may possibly have led hon. gentlemen to think the other day when he talked about the Dominion and the provincial governments coming together and co-operating so much better than they did soon after confederation was formed. I do not think this is a right way to set about dealing with this question of the roads. If the government want to help the building of roads throughout the provinces, they should have found some means of handing this money over to the provinces and allowing them to deal with the matter themselves. Dual control, and the dual arrangements that have to be made, the drawing up of agreements between the Dominion and provincial governments, would not, in my opinion, work out at all satisfactorily, and I think the whole matter should have been dealt with along constitutional lines and not in the way proposed in this Bill.

Hon. Mr. MACDONALD (British Columbia)—I think there is very little danger of the Dominion government forcing on any province money to build roads. It is to be entirely a mutual matter, and the first

motion must come entirely from the province. Is it likely that this government would go into any province and commence building a road without the full consent of the corporation or corporations? Not the least likely. It is entirely a matter of what I might almost call benevolence on the part of the Dominion to help any province which desired the opening up of the roads. Many parts of the country, no doubt, require opening up, but there are some other parts that I hope will not be touched; that is to say, inaccesible parts of the Rocky mountains and of the Selkirk pass. Roads there would be perfectly useless for the greater part of the year. They would cost a great deal to construct, and might cost as much every year to keep it open. Whatever may be done in opening up agricultural lands, I hope the government will not think of doing anything of that kind. The right hon. gentleman yesterday, in speaking of this matter, referred to the danger of the Dominion and the provinces mixing their finances.

I have never known—and I do not suppose that anybody in this Chamber has ever known, of the provinces refusing aid from the Dominion, and as far as mixing the accounts is concerned, that is an impossiblity. If money received by the Dominion is placed to the account of the province, that is an end of it. I hope —and I desire to emphasize the statement —that the government will not think of building a road through the Rockies in British Columbia on account of the cost and the supreme uselessness of it during the greater part of the year.

Hon. Mr. DANDURAND—I should like to state that I have considerable doubt, in conjunction with my right hon. friend (Sir Richard Cartwright) as to the constitutionality of this Bill. It strikes me, that this aid to the provinces amounts simply to an increase of the per capita subsidy which was agreed upon at confederation. When the provinces came together they decided that, inasmuch as they were giving over their customs and excise to the federal power, they should be entitled to a compensation, and that compensation was fixed at eighty cents per head, based on the census of 1861. When I went into politics about 1879 or 1880, and saw in what state the finances of my province were, and found that, at the time the only means that seemed to be in view for an increase of its income was direct taxation, which was very objectionable to the people, though perhaps the most honest of all modes of taxation It seemed to me that this arrangement was somewhat unjust to the provinces, inasmuch as they retained the same fixed amount from the federal chest, while the population increased. The increase in population increased the income of the federal government, but increased at the same time the charges which the provinces had to meet, without any corresponding return from the federal government which benefited through the increased customs and excise collections. This grievance which I thought existed against the federal authority has been cured, and now the provinces will have the advantage of an increased subsidy proportionate to the increased population, But this seemed to be a settlement under the form of a contract between the federal authority and the provinces. The obligations of the several provinces were defined in the constitution, and those obligations were to be assumed by them, and met out of their own resources, and of the subsidies they received from the federal authorities. Now the federal government decide upon a new policy, and will advance money to help local works in the provinces.

This, in my mind, is outside the intentions of the statesmen who framed the Confederation Act, and who agreed upon the Quebec resolutions. It may vary the conditions of that contract which was entered into in 1865-66. Yet the federal powers which can be exercised in relation to public works are so wide, and have been used so extensively since 1867, that I shall not undertake now to quarrel with the House of Commons on the policy which is now being inaugurated, of increasing the subsidies to the provinces under that form. But, if we are to close our eyes to this feature of the legislation which is offered us, it seems to me that the Senate should, at all events, safeguard the principle of

equality between the provinces. The Bill does not speak of the distribution of this money and how it will be divided. I find, on looking over the discussion which took place on this Bill when it was presented to the other House, that the government and opposition alike agreed upon the principle of the distribution of this money to the provinces in proporton to their population. My only surprise is that this principle is not embodied in the Bill. I may be allowed to cite the expression of the right hon. leader of the government when the second reading of the Bill was moved on the 23rd of February, 1912, to be found on page 3711 of 'Hansard':

When these subsidies are brought down we propose to vote a specific amount for each province which cannot be appropriated to any other province, and we propose to proceed on the basis of population or amount of subsidy.

So we have, from the leader of this government, the fact that this sum will be divided, practically, on the same basis as the provincial subsidies. We have the same statement repeated by my hon. friend, the leader of the government in this Chamber, that these are the intentions of the government. Why is not this principle, which is most important, and which underlies the whole financial fabric of the constitution, embodied in this Bill? I cannot understand or comprehend why it is not. I have the statement of the government; so far so good, but how can we be assured that this policy, which is not a policy to be maintained for a year or two merely, but which is to be on our statute-book, and may be taken advantage of for years to come—how are we to be assured that the declaration and promise of the present government will be followed by the next government, and that the declaration that this money will be distributed among the several provinces according to population, will be followed from year to year? It seems to me that this point is of such importance that it should be insured by making it a provision of this Bill. I draw the attention of my colleagues to this fact, that this Chamber would not, perhaps, vote this Bill if it were not assured that this promise would be implemented. Yet, when this Bill is passed on this verbal declaration made by the government of the day, it may not bind the government to follow it. The Senate is deprived of the right to see that this declaration is implemented, because what will follow when this Bill is on the statute book? Subsidies will be voted which will be in the Subsidy Bill over which we will have no control, except by creating a crisis and rejecting the Supply Bill, a thing which I suppose this Chamber would be slow to do. Therefore, I reserve the right, when this Bill goes into committee, to try and have this principle, which is admitted by the government as the one upon which they intend to act, incorporated in this legistion.

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

THE MANITOBA BOUNDARIES BILL.

DEBATE CONTINUED.

The Orders of the Day being called:

Resuming the adjourned debate on the motion for the second reading of Bill (115), 'An Act to provide for the extension of the boundaries of the province of Manitoba.'

Hon. Mr. CHOQUETTE—Hon. gentlemen, in rising to oppose, for the present, the second reading of this Bill, I am not going to make any long argument or speak of its provisions. These conditions are financial arrangements between the governments at Ottawa and Winnipeg, the exchange of land, the payment of money to universities and different things which I think we can leave to the government of the day to deal with. The Bill is lacking in that there is no clause for the protection of the minority, either Protestant or Roman Catholic, in the district which is to be annexed to Manitoba, by this Bill. I am not going to discuss the legality of the existence of parish schools, or the rights of the minority in that province. These questions have been debated in another place by very able men. Opinions have been given on this question by eminent lawyers, both Protestant and Roman Catholic, and all have come to the conclusion that the Roman Catholics have rights as to their schools. I am not going to load up the 'Debates' of the Senate on this point.

I am supposing that the reasons given for the claims of the Roman Catholics to separate schools are correct, and I am not going to try to convince those who hold the opposite view, that they are wrong. They can form their own opinion. Prominent lawyers, and members of the government have differed on this question. The government do not like to see lawyers give their opinions, especially lawyers who are not in either House.

I remember the Minister of Justice, a very able and eminent man, said he did not care much for the opinions of those who wrote for the papers or spoke on the hustings, or who gave their opinions on public questions without being asked for them. This is a matter to be settled by the Minister of Justice with Mr. Cahan and those he referred to. I am not going to discuss the legal side of the question. I shall only discuss the amendments which were proposed in the other House, and which I am about to offer here in view of the declarations which have been made in the other House by ministers, and which I read in the public press. If these declarations are true—and we are entitled to know if they are—the government is bound to open negotiations with the Manitoba government. My first inclination would have been to move the six months' hoist, because on a question like this everybody who has reason to oppose the Bill might vote for such a motion. Last night I heard the hon. gentleman from Prince Albert oppose the Bill because Saskatchewan was not well treated, and I heard my hon. friend from Portage la Prairie say that Manitoba also was not well treated. But I am not inclined to harass the government by killing the Bill. I would like to move the amendment which was proposed in another place by the hon. leader of the opposition, that although favourable to the extension of the boundaries of Manitoba, the terms under which it was proposed to make said extensions, as set forth in the Bill, were unfair and unjust, both to the people of Manitoba and to the people of the other provinces of the Dominion. I should be inclined to move that amendment, but I have been told that my object in doing so would only be to assist the Liberal party in the other House, or to enhance their chances in the country. I like to avoid all such matters and look at the question in the best way, and try to follow the line suggested by the government, that the Roblin government has decided, and is willing, to deal fairly and justly with the Catholic minority. I should like to give the government a chance to go to the Roblin government and see what they are going to do. On second thought I considered it better not to move the six months' hoist, or the amendment which was moved in the other place by the leader of the opposition, but to move an amendment in order to reopen the negotiations with the Manitoba government, in order to know what they are going to do, and I do make that motion in the face of the declarations which have been made by the Postmaster General and the Minister of the Interior in the other place. We read in the Winnipeg papers the statement that we would have to go to Winnipeg to get justice. We find papers like the 'Montreal Star' and the 'Montreal Gazette' appealing to the Manitoba government to give justice to the Catholic minority. I would refer the leader of the government to a speech delivered elsewhere by Hon. Mr. Rogers, his colleague. He says:

> I recognize that he (Mr. Borden) stands to maintain and to uphold that grand old traditional policy of the party, that has ever stood in the past, and that I trust, ever may stand in the future, to uphold equal rights and equal justice to all and all parts of our country. That, to my mind, is exactly what this Bill undertakes to represent. It promises nothing more and it promises nothing less.

So that hon. gentleman will see that the minister coming from Manitoba says the party stands to give justice to all. What does that mean? Does it mean that they are asking the members from Quebec to accept their assurances that they will remedy the wrongs from which they have been suffering for long years? Then we have the Postmaster General also speaking in another place, as follows:

> I am not prepared to leave the rights of any minority, either Protestant or Catholic, to the tender mercies of the leader of the opposition and his friends. I would rather leave them in the hands of the Roblin government. If future facts show that in doing this I have erred, I will stand the consequen-

ces. I am prepared to do so because I believe from the bottom of my heart that I am right. I shall have to again refer to that later.

Mr. MACDONALD. Has my hon. friend any understanding with the Roblin government.

Mr. PELLETIER. That is too thin. I am going to answer the question fully by and by.

He never answered the question, but he left his friends with the impression that he had such an understanding. In a caucus called the Postmaster General, the Minister of Public Works, the Minister of the Interior, for the Nationalists, or the Tories, as you like to call them, they gave all the supporters of the government from the province of Quebec, and to all those of French origin and Roman Catholic religion, their word of honour that they had the authority of the Roblin government to say that they would re-establish separate schools, or present a law so that the Catholics would not have to pay double school taxes. The twenty-two members all informed the government that they were prepared to vote against the Bill, but after this declaration only five voted against it, the others supporting the government. If this statement is true, these ministers and the Roblin government are deceiving the public. If it is not true, they obtained the votes of the Quebec members on false pretenses and false representations. The only way is to refer that Bill to a conference to ascertain what was the understanding. When asked if there was an understanding, the man who gave his word that they had the pledge of the Roblin government said: 'That question is too thin,' and he would not say a word about it. This Senate was created for the protection of minorities, and it is very fortunate that the Senate exists. I do not care about the financial part of the Bill, but there is a question of conscience and a question of right, which is entirely omitted from the Bill. It is our duty to ascertain exactly the state of affairs and find out if those promises were made. For fifteen years the Laurier government has been accused of betraying the faith of their compatriots in Quebec. We know that Archbishop Langevin has been travelling through Quebec denouncing the Laurier government for betraying Laurier's co-religionist compatriots. How is it we do not hear his voice now? If they have a promise from the Roblin government why not declare it like men?

Hon. Mr. McMILLAN—Did the hon. gentleman raise his voice when Sir Wilfrid Laurier was in power, against the Greenway government, which passed the first Manitoba Act, at the time when Sir Wilfrid Laurier refused to obey the mandate of the Privy Council?

Hon. Mr. CHOQUETTE—Certainly he did; and also Mgr. Langevin who went through the county of La Prairie and elsewhere denouncing the Liberal candidates in 1896 and since.

Hon. Mr. McMILLAN—It is all a question of politics.

Hon. Mr. CHOQUETTE—For the hon. gentleman and the government. I may draw the conclusion from the declarations of the ministers of the Crown in the presence of their leader in the other House, and His Grace Archbishop Langevin, not saying a word, that Roblin made some promises. I am glad that it is so, and I hope they will be carried out, but we have a right to know if it is true. Now read the 'Manitoba,' the organ of Mgr. Langevin. It is as follows:

Nous n'avons, certes, ni le droit ni le désir d'admettre qu'Ottawa, n'ait plus jurisdiction; mais les événements nous indiquent Winnipeg, comme, l'endroit où nous aurons à traiter.

In English it means that he is not going to say Ottawa has no jurisdiction, but he says we have to go to Winnipeg to negotiate about our rights. He says further in French:

Jusqu'aujourd'hui M. Roblin, et son gouvernement, méritent d'être traités en amis, aveo lesquels on doit sans doute conférer, mais à qui il convient de faire crédit pour un passé honorable.

That is, Mr. Roblin has been a true friend so far, and it is with him that we are to negotiate. Negotiate what? This is from the 'Manitoba,' published in Winnipeg, and reproduced in 'L'Evenement' the organ of the Postmaster General, yesterday, 18th of March.

Now, here is more than that. I have in my hands 'La Patrie' of Montreal, a paper

very friendly, to the government, which fought the battle of the government at the last election, and what does it say? It goes further than the Postmaster General, and says this:

Malgré la déclaration de l'hon. M. Borden et de ses ministres qu'ils n'ont reçu aucune promesse, écrite ou verbale que le gouvernement du Manitoba remédierait aux griefs de la minorité catholique et établierait un système scolaire satisfaisant pour la minorité dans le district de Keewatin, des personnes qui ont des raisons pour être bien renseignées, affirment que le gouvernement Roblin a bel et bien donné de solides assurances au gouvernement fédéral.

Qu'un accord de cette nature soit intervenu entre Winnipeg et Ottawa, cela est d'ailleurs vaisemblable pour plusieurs motifs.

Confirming that the Roblin government have given assurances to the federal government that they would re-establish separate schools, or do something for the Roman Catholics of Manitoba, and it says it is only fair to take that from the words of the ministers, because the Roblin government is one of their friends and is going to help them out of the difficulty. Now what do we see in the 'Star' of Montreal? It says, as cited by 'La Patrie':

Assurément, l'attitude de la minorité de la population canadienne envers la minorité doit être une attitude généreuse. Cette minorité est destinée à déclainer proportionnellement chaque année, à cause de l'immigration. Nous ne pouvons concevoir qu'il existe une rivalité, même si nous nous sentons enclins à nous quereller à propos de religion. Par suite, l'action de la majorité a cessé d'être une action militante, et est devenue de la persécution. La conciliation devrait être maintenant notre mot d'ordre.

It says that the action of the majority now is persecution, and the by-word must be concilliation with those people. What does the 'Gazette' of Montreal say?

Le règlement de 1897 de la question scolaire du Manitoba à fixé le status des écoles de la province, en ce qui concerne le parliament, et toute tentative de le faire modifier par Ottawa, ne saurait avoir aucun bon résultat. Le bon sens et le bon vouloir de Winnipeg judicieusement exercés, peuvent cependant accomplir beaucoup.

The 'Montreal Gazette' says that the good sense and good will of Winnipeg will do more to satisfy the Roman Catholics. And what is the conclusion of 'La Patrie'

Comment le Gouvernement fédéral et ses organes inspirés prendraient-ils une attitude si conciliante et si curieusement sympathique aux droits de la minorité, s'il n'existait une assurance de M. Roblin que la législature du Manitoba se départira de sa sévérité et rendra la vie tolérable aux catholiques du Manitoba et du Keewatin.

Now, the federal government and its organs have been inspired by somebody to come to the rescue of the rights of the minority; and it could not do this unless they have the assurance of the Roblin government that they are going to give the Roman Catholics of Manitoba and Keewatin their rights. In view of all this; in view of the declaration of the ministers themselves; in the face of the statement of the leader of the House; in view of the articles in papers sympathetic with the government; in view of the confirmation, by those papers, that they must have some assurance from the Roblin government that we are going to have justice; in view of the silence of His Grace, Archbishop Langevin; in view of the article of the Manitoba paper published at Winnipeg saying that they have to go to Winnipeg, to the Roblin government to get justice; are we not in this House justified, before this Bill is read a second time or before it becomes law, to ask the government to reopen negotiations with Mr. Roblin to know what he is going to do for the Protestant or the Catholic minority. Because, hon. gentlemen of the Senate have been appointed here to protect the minority; that is practically one of the reasons why we are here; and it is the Senate that is asked to protect the minority. We all know that in 1867 it was the Protestants themselves who were asking protection for the minority in Quebec, and, thank God, Quebec has kept its word. I never raised a finger to do anything to injure the rights of the Protestant minority, and Catholic members would be the first to stand up and defend those rights in the province of Quebec, because they are entitled to them. We do not approve, as a rule, of their schools, though very often they are very poor schools. But now, there is the right, there is the constitution, and I would be the first to stand up in this House to oppose any one who would attempt to take one iota of right from our Protestants in the province of Quebec.

It is the Protestants themselves who asked for the rights in Manitoba, because at the time they thought that Manitoba would be a French and Catholic province. At that time the population was nearly all Catholic. There was a Catholic bishop there and Catholic missionaries and it was thought that it would be the same as the province of Quebec, and the minority asked to be protected. Why should we have to beg now to have our rights respected? I have heard it said that the opposition to separate schools is not because they are Catholic schools, but because they are not good schools. A few days ago I was told to read the report of Dr. Merchant about the Catholic separate schools in Ontario. I quite admit, hon. gentlemen, that there are Catholic schools in poor centres that may not be up to the mark. We have the same thing in Quebec where we have Protestant schools that are not any better, and only last week we had a report from the inspector of these schools saying that they were so bad that the Protestants were sending their children to Catholic schools. We must not judge by special cases. I say that our schools in Quebec are just as good as the Protestant schools, even better. Hon. sirs, I can give you examples. Take the men who have studied in these separate schools, and who are now here or in the House of Commons. Do they not speak eloquently and well in both languages? I was proud the other day to hear two French Canadians in the House standing up and receiving the attention of the whole House, and speaking better than many of the English members and these French members speaking in English. I am pleased to see the same thing in this House. I do not say it for myself, because I am not a fluent speaker in the English language, but I know that other French members in this House can speak very fluently in English and these men were educated in the separate schools by the priests and friars, and they can stand up in this House and show that they are more educated than the Englishmen who have been educated in Protestant schools. I do not say that for the purpose of boasting, but it is a fact. How many Englishmen can speak in both languages?

I was glad to hear the Postmaster General and the ex-Postmaster General having a wordy war in the English language and speaking better than many of the English members of the House of Commons can speak in English. I merely say these few words by way of digression in order to defend the separate schools. I have been told that Ontario is spending a great deal of money on public schools. That may be true, but why do they spend so much money? Because they have to pay their teachers such high salaries. In Ontario they have to pay big salaries in the Protestant schools, whereas in Quebec our children are taught by the nuns, priests and friars who educate the people for love and practically do not receive any salary. An English friend of mine told me that they were spending two or three times more in Ontario, for education, than we were in Quebec. That may be true, but in the face of what I have told you, as to the large salaries paid the Ontario teachers, that is not to be wondered at. The French members of this House are just as well educated and better educated than the English members, and I might even add that it takes two or three times as much money to educate an Englishman as it does to educate a Frenchman, and that is the reason it costs so much more for education in Ontario, than it does in Quebec. I suppose I can say that without boasting, or without injuring the feelings of anybody. This is a question on which I feel strongly. The rights of the minority should be protected; they should be allowed to educate their children according to their conscience. I do not see why we should have to beg for rights which we already have. I do not wish to kill the Bill, and I do not wish to make any political capital out of it. I am not even going to move an amendment which, if carried would kill the Bill, because I do not wish it to be said that I tried to embarrass the government, but in view of the declaration of the minister that the rights of the minority will be respected, and that the Tory members who assisted in the caucus said they were going to support the

government because they would gain more than by opposing the Bill. I think I am justified in moving:

That this Bill be not read now a second time, but that the second reading be suspended in order to reopen negotiation with the government of Manitoba, by way of conference, in order to define in an amicable way the situation of the minority, either Catholic or Protestant, that they occupy in the light of the law in relation to the educational rights in the proposed annexed territory.

Hon. Mr. BELCOURT—I intend to support the motion which has just been submitted, and I move that the debate do adjourn, until to-morrow.

Motion agreed to.

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

THE SENATE.

WEDNESDAY, March 20, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

THIRD READINGS.

Bill (116) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

Bill (124) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

THE GRAIN BILL.

COMMITTEE STAGE POSTPONED.

Hon. Mr. LOUGHEED moved that the House resolve itself into a Committee of the Whole on Bill (32) An Act respecting Grain.

Hon. Mr. DAVIS—Before the motion is put, I would like to draw the attention of the hon. leader of the House to the fact that there is a delegation of farmers here at the present time. Although we do not expect that the Bill will be referred to a select committee, I would ask that it be delayed for a day until these gentlemen have a chance to meet some of the senators and discuss the matter with them.

Hon. Mr. LOUGHEED—In answer to my hon. friend I would say that it is very desirable that we should proceed with this Bill at once. The clause in which the delegation referred to may be interested can be held in suspense, but in the meantime we had better proceed with the other clauses. I have had an opportunity of interviewing the delegation, and they have pointed out to me two clauses, to which I drew the attention of the House when introducing the Bill, on which they desire to be heard. There is nothing to preclude these gentlemen from addressing such members of the Senate as may wish to hear their views this afternoon, or at any time. I have a telegram from representatives of the grain section of the Toronto Board of Trade desiring to come down here and be heard. It will be quite obvious to hon. gentlemen that, if we delay this Bill until there can be a mutual agreement of all the conflicting interests, we will never get through with it. The public interest will be quite well served if we proceed with the Bill this afternoon, reserving a final disposition of the clauses objected to until an opportunity is given to hear these gentlemen.

Hon. Mr. BOYER—There is another objection to proceeding with the Bill to-day: it is not printed in French.

Hon. Mr. DAVIS—The Bill is not printed in French, and it must stand over.

Hon. Mr. LOUGHEED—It is for the House to say.

Hon. Mr. DAVIS—The House does not agree to go on with the Bill.

Hon. Mr. CLORAN—The hon. Speaker himself is one of the most ardent advocates of equal rights in this House, and now a member from Quebec has asked that this Bill be printed in French, and it

is the duty of the Speaker to declare that he is entitled to have his request granted.

The SPEAKER—If the objection is raised it is well taken, because it is not a matter that can be dealt with like a rule of this House. The rules of the Senate may be suspended by a majority of the House, but the right to the use of the French and English languages is given by the constitution, and no rule of the House can supersede the articles of the constitution.

Hon. Mr. LOUGHEED—If at this very late hour in the session this objection is taken, I doubt very much that the best interests of those concerned in the Bill will be served by taking advantage of the technical objection. It is very desirable that the greatest possible consideration should be given to this Bill. It consists of 248 sections; surely it cannot be said, or expected, that the sections which are objected to will be recklessly dealt with, between now and, say, a couple of days hence. The Senate can very well spend its time to-day and to-morrow in dealing with the many sections of this Bill that do not infringe in any way on the views of the delegation that desire to be heard.

Rt. Hon. Sir RICHARD CARTWRIGHT—I was going to inquire from my hon. friend whether he has in his Bill shown any new clauses differing from the Act that passed this House last session.

Hon. Mr. LOUGHEED—No, they are not shown. I might say, however, that the only radical departure from the Bill is in the last two clauses, one dealing with the distribution of cars, and the other dealing with the sample market.

Rt. Hon. Sir RICHARD CARTWRIGHT—That is clause 57 in the first case, and 207 in the second?

Hon. Mr. TALBOT—We might proceed with the non-contentious clause and leave the other clause till to-morrow.

Hon. Mr. LOUGHEED—Section 57 deals with the sample market and 207 deals with the car distribution.

Hon. Mr. DAVIS—Owing to the anxiety of my hon. friend to proceed with this Bill, I should like to tell him that the people who are directly interested in the measure—that is the gentlemen from the west—do not desire the Bill at all, and would rather have the law now on the statute-book than the present Bill. I think it would be wise to postpone the order till to-morrow, so that they can be heard.

Hon. Mr. CLORAN—Hear, hear.

The SPEAKER—Objection has been made that the Bill has not been printed in French, and unless the objection be withdrawn I cannot proceed.

Hon. Mr. LOUGHEED—I suggest that the Bill be placed at the foot of the order paper. That might meet the requirements of the situation. If we dispose of the Orders of the Day, we could then proceed with the non-contentious clause.

The SPEAKER—Does the hon. gentleman persist in his objection?

Hon. Mr. BOYER—I withdraw the objection.

Hon. Mr. DAVIS—It does not make any difference whether a member happens to be French or English, I have just as good a right to raise the objection that the Bill is not printed in French as my hon. friend behind me. In order to meet the views of the hon. leader of the House, the Bill may be placed at the foot of the orders, but I will not let it proceed, even then, unless I am further advised.

The Bill was placed at the foot of the order paper.

NEW SENATOR.

Dr. JOHN WATERHOUSE DANIEL, of the city of St. John, N.B.

THIRD READINGS.

Bill (99) an Act respecting the Ottawa, Montreal and Eastern Railway Company—Hon. Mr. Davis.

Bill (49) an Act respecting the Montreal Central Terminal Company.—Hon. Mr. Young.

SECOND AND THIRD READING.

Bill (13) an Act for the relief of David George Davidson.—Hon. Mr. Watson.

SECOND READING.

Bill (38) an Act respecting the Canadian Northern Railway Company.—Hon. Mr. Watson.

MANITOBA BOUNDARIES.

DEBATE CONTINUED.

The order of the day being called:

Resuming the further adjourned debate on the motion for the second reading of Bill (115) an Act to provide for the extension of the boundaries of the province of Manitoba.

Hon. Mr. BELCOURT—Hon. gentlemen, it may not be amiss for me to preface what I am about to say in support of the amendment moved by my hon. friend from Grandville (Hon. Mr. Choquette) by giving the House the assurance that I shall approach the subject in a calm and dispassionate manner, in a spirit of fair-play and conciliation, and with a desire to give full consideration to the rights, the beliefs, the scruples, and even the prejudices of the parties interested. I have not stopped to consider for one moment whether there is any party advantage in this matter whatever, having regard only to the interests of the Dominion, of the province of Manitoba and the territory of Keewatin, as they impress themselves on my mind and on my conscience. It is well to recognize at once that this Bill is in the nature of an agreement; it is a bargain, and in dealing with bargains and agreements it is always well to bear in mind that it takes two parties to make a bargain, and that if you want to arrive at a just, fair and permanent agreement, proper consideration has to be given to all the interests, to all the parties concerned. There should be nothing in an agreement, especially an agreement of this kind, which would justify anybody, or any party to it, in being too insistent in having all its own way. There should be no question here for either side to insist upon the pound of flesh. If the Bill, or agreement, or bargain if you will, is approached in that spirit, it is quite evident to me, as it must be quite evident to any parliamentarian, that we will not only not solve a difficult question, but will bring about more trouble for the future.

Now, I think it well that we should define exactly what are the constitutional and legal relations between the Dominion of Canada and the parties interested. We must remember that the territory of Keewatin forms part of the Dominion of Canada. We assumed jurisdiction over that part of Canada, and because we assumed jurisdiction and have exercised it for years, that territory is part of the constituency of the Dominion of Canada. In assuming jurisdiction we assumed a duty towards all the people inhabiting that territory, and it is that duty which we are called upon to discharge in dealing with this Bill. When the question of extending the boundaries of Ontario, Quebec and Manitoba arose, the government of Canada were necessarily called upon to look at the constitutional relations between the central government and the provincial governments, and the territorial government as well. Under the Act which governs the matter, that is the amendment to the British North America Act, 1871, parliament could have done. in reference to this territory, one of three things—continue to administer the territory by giving it such additional authority as the development of the present day requirements need, organize it into a province by itself, or, thirdly, annex it, or part of it, to Manitoba or to any other province. These are the three things which the parliament of the day have to consider in dealing with this measure. The law which governs the matter is quite clear. Parliament has to administer that law as it is found. With reference to these three alternatives, there is really only one of them which is obligatory on this parliament, and that is the one to which I have already referred, that is, the duty to continue to administer that territory. The other two, to create this ter-

ritory into a province, or annex it or part of it to Manitoba or any other province, are both permissive. There is no compulsion on the part of parliament to annex this territory, or any part of it, to Manitoba. There is no compulsion to create it into a province. There is an obligation on the part of this parliament to administer that territory in the manner prescribed by law. I think it is important that that distinction should be made at the outset. I am free to admit that the time has arrived when this territory should very properly be annexed to the province of Manitoba. I do not wish to dispute that for one moment. The reasons are many and obvious why the territory of Keewatin should, in the future, form part of Manitoba. I am not going to argue to the contrary.

But in order to annex that territory, the whole thing must be the subject of an agreement, or a bargain, and we must not lose sight of that. This agreement and its terms should be acceptable, in so far as possible, not only to the people of Canada at large, but to the people of Manitoba, and to the people living in the territories, and I might point out that, in seeking to make that agreement to-day, there is upon Canada particularly the duty to see that its own constituents who live in that territory of Keewatin, and their rights, whatever they may be, are properly protected. If an agreement with Manitoba cannot be made satisfactory to Manitoba and also satisfactory to our own constituents in the territory of Keewatin, then there is nothing else for this parliament to do but to continue to administer the territory of Keewatin under the law as it stands to-day, and wait until such time as the province of Manitoba and Keewatin can, through our own intermediary, secure terms which can be satisfactory both to Manitoba and Keewatin. Manitoba can to-day refuse to take this Bill. She is not bound to accept its terms, or any portion of it; and Canada is not bound to annex any part of Keewatin to the province of Manitoba. For my part, it seems obvious that, in trying to make terms mutually satisfactory, the terms should be thought out in a broad and generous spirit, not with the idea of being too insistent, or having the pound of flesh. It is quite clear to me, as it is to most hon. members of this House and the other branch of parliament, that so far as the financial terms are concerned, and so far as the territorial limits of the territory to be annexed are concerned, we have dealt in a most generous manner with Manitoba. I think it will be the common verdict that Manitoba is receiving far more generous treatment than Quebec or Ontario are going to receive when the time comes for the extension of their own boundaries. I am not disposed to quarrel with the financial and other terms which are now proposed to us; they may be, in the opinion of many, far too generous. Many might say that granting such terms to Manitoba is an encouragement to the other provinces to come and make raids on the Dominion treasury. That may be, and I believe there is reason for saying so. For my part, I am not quarrelling with the financial terms embodied in the Bill, and shall take no objection to them. Evidently the question which is giving some of us, at all events, more difficulty and more concern is the question involved in the amendment submitted by my hon. friend and which I have seconded. What are the claims of these parties? Are there in the territory of Keewatin rights, or claims, which are not being protected, and which should be protected? If there are claims of that kind, I submit it is our duty to continue to administer those rights. If there are legitimate rights on the part of those people which should be safeguarded, I say the duty primarily and essentially rests on this parliament, and perhaps more so on this branch of parliament, to see that those rights are protected, or at all events, that every possible means of securing and protecting those rights should be resorted to before this Bill is finally passed by parliament. What is the position? In the province of Manitoba there are no separate schools; in 1890 the provincial legislature abolished the system of separate schools which, up to that time, had been in existence in the province. Hon. gentlemen will remember as well as I do what followed. The Act was attacked as ultra vires and not constitutional, but the Privy Council declared the Act to be within the powers of

the province, and so far as legislation goes, the separate school system in the province of Manitoba became, in 1890, and has been ever since, abolished and gone for ever. To-day there are no separate schools in Manitoba. That is the legal position. It is well to remember, also, that by a subsequent judgment of the Privy Council it was declared that the minority of Manitoba have a very serious grievance which should be remedied by this parliament under the provisions of the British North America Act. The elections were fought out on that issue. The Conservative government of the day, as everybody knows, attempted to enforce upon the province of Manitoba remedial legislation. The attempt was made to compel Manitoba to restore the separate schools, or to give the Catholic minority of Manitoba the rights to which it was entitled. I believed, and I have believed since, and believe now, that it was impolitic, that it was not a proper course to adopt, and that a very grave mistake was made by the government of the day in trying to impose that legislation upon the province.

I did not then believe, I have not since believed, and I do not now believe in coercion, in compelling, or in trying to coerce the province of Manitoba, or any other province, in educational matters. I believe that was the great defect of the Bill of 1896. There was another thing which affected the minority, a defect, to my mind, rendered that measure utterly useless, and it was this: that there was no provision in that Act which would have enabled the Catholic minority of Manitoba to have its own taxes for the support of its own schools; so that the Act of 1896 was absolutely futile. I do not want to characterize it with a stronger word, though I could, but I say it was absolutely futile. I do not propose, for my part, that legislation of that kind should be attempted again, and I would be the last to support it.

Hon. Mr. WATSON—I would like to ask the hon. gentleman if he thinks the parliament of Canada would have had any power if the Remedial Order had passed, to enforce any Act on the province of Manioba which would afford relief to the Catholic minority.

Hon. Mr. BELCOURT—No; I have already said so. I have just said that the Act of 1896 was absolutely useless, so far as protecting the rights of the minority in Manitoba was concerned, inasmuch as it made no provision by which that minority could have had its own taxes, for the use of its own schools. For that reason, I opposed then the Bill of 1896. I was a candidate in the city of Ottawa at that time, and I opposed it on the hustings and afterwards. I believed then, and I believe now, and have believed since, that if in 1896 the government of Manitoba had been approached in a proper spirit, that question would have been settled, and settled without the great turmoil that was then caused throughout the length and breadth of this country. I believe that the province of Manitoba to-day, if appealed to in a proper spirit, and a proper way, by the government of the day, would find some solution to this question which would for ever take it out of politics, and save us from spending time and energy and efforts in discussing a question which should have been disposed of and settled many, many years ago.

A law of that kind will, or will not, produce an effect according to the manner in which it is administered. I do not think any one will question this proposition, that if a law in educational matters is imposed upon a province which is objectionable to the majority of the people living in that province, that law would be administered istered in a way to give to those for whom it is intended the protection which it purports to give. Educational law is effective. or defective, not according to the letter of the statute, or the spirit of it, but in the way it is carried out. I say that if we attempt to compel Manitoba to have a separate school system for any portion of the province, that law would be administered in such a way that it would not serve the purpose for which it was intended. That is another reason why I think we must ever give up the idea of imposing a law on any province which the majority are not pre-

pared to carry out faithfully and loyally. But I do say, and I repeat it, that if we appeal to the common-sense, the justice and the sense of fair-play of the majority of Manitoba, I am sure that such an appeal will bring about a settlement of this question which will for ever remove it from politics. That is what happened in 1897, when negotiations were opened between the federal government and the government of the province of Manitoba resulting in a settlement, which may not have been wholly satisfactory to everybody, but a settlement which, being received in the spirit of give and take, has produced general results which have been accepted pretty generally. The result of the settlement of 1897 is far better for the minority than any remedial legislation imposed upon that province would have been. That is what happened in 1905 when the parliament of Canada was creating the new provinces of Alberta and Saskatchewan. The government of the day introduced a measure in which was embodied the statute of 1875, and which is now section 10 of chapter 62 of our revised statutes:

10. The Commissioner in Council, if authorized to make ordinances respecting education, shall pass all necessary ordinances in respect thereto, but in the laws or ordinances relating to education it shall always be provided that a majority of the ratepayers of any district or portion of the territories, or of any less portion or subdivision thereof, by whatever name the same is known, may establish such schools therein as they think fit, and make the necessary assessment and collection of rates therefor; and also that the minority of the ratepayers therein, whether Protestant or Roman Catholic may establish separate schools, shall be liable only to assessments of such rates as they impose upon themselves in respect thereof.

That is substantially almost word for word, excepting the first two lines, which were changed for the purpose of the altered conditions, the statute of 1875. The government of the day in introducing this Bill for the creation of the two provinces embodied that Act word for word in section 16, which was discussed at such length. We all know what happened, one of the gentlemen representing the west, the leading representative of the Protestant majority of the west in the cabinet of the day, resigned because he would not support this legislation. What followed? Negotiations between the representative of the majority of the west and the government of the day, and the substitution for clause 16 of a clause embodying the legislation as it now exists. That is the law of 1875 as modified by the subsequent ordinances. There again we have a striking proof of what may be accomplished if people will only try to get together, and deal with these matters in a fair, broad and generous spirit. The result was that every man in the House of Commons, Protestant and Catholic, supported the agreement arrived at between the Hon. Mr. Sifton, then Minister of the Interior, and the government of the day. The result was an honourable, and I think satisfactory compromise, because to-day in the provinces of Alberta and Saskatchewan there is no school question. Why is there no school question? Simply because these gentlemen of opposite views got together, with a spirit of give and take, and made a settlement which for ever removed from these two provinces the troublesome question of education.

Hon. Mr. McMILLAN—Does the hon gentleman want us to understand that they have separate schools in Alberta and Saskatchewan?

Hon. Mr. BELCOURT—Of course they have.

Hon Mr. McMILLAN—What is the law with regard to separate schools?

Hon. Mr. BELCOURT—They have not got separate schools in the sense that we have them in Ontario.

Hon. Mr. McMILLAN—Let us know the kind of separate schools they have.

Hon. Mr. BELCOURT—My hon. friend wishes me to explain the whole of the ordinance. It will take some time to do that.

Hon. Mr. McMILLAN—I say they have no such thing as Roman Catholic separate schools in the provinces of Alberta and Saskatchewan. I say there was no compromise at all, the whole thing was a giving away of the right.

Hon. Mr. BELCOURT—No.

Hon. Mr. McMILLAN—I beg your pardon.

Hon. Mr. POWER—The Act of 1905 shows that there are separate schools in these provinces.

Hon. Mr. BELCOURT—If my hon. friend will only take the statutes of 1905 he will see there exactly what are the rights of the Catholic minority in the way of separate schools.

Hon. Mr. McMILLAN—I want to impress on the hon. gentleman the fact that there was no compromise, and that they gave away the rights they had under the law of 1875.

Hon. Mr. BELCOURT—No, they did nothing of the kind. What they did was this: The law of 1875 provided for separate schools. That was an absolute right to all intents and purposes. There had been subsequently introduced into the Northwest Territories, before the creation of these two provinces, ordinances which modijed to some extent, separate schools. The law of 1905, adopted by this parliament as a result of the compromise, was to make that the provision for religious education in the schools of these new provinces, as modified by these ordinances.

Hon. Mr. McMILLAN—Yes, but that is not carrying out the law of 1875.

Hon. Mr. BELCOURT—I say it is.

Hon. Mr. McMILLAN—I beg your pardon.

Hon. Mr. BELCOURT—I repeat it is carrying out the law of 1875, subject to modification. Of course my hon. friend knows that law has not been disallowed. If my hon. friend thinks it should be disallowed, he should try to prevail upon his friends to disallow it. That is the law to-day.

Hon. Mr. BEIQUE—Hear, hear.

Hon. Mr. McMILLAN—I want to be clear upon this point; does the hon. gentleman mean to say that that is the law in Keewatin?

Hon. Mr. BELCOURT—My hon. friend surely must be fair. I was discussing Alberta and Saskatchewan, and he asked me a number of questions. Now that I have answered him he asks me if I confine that to Keewatin; I never said anything of the sort.

Hon. Mr. McMILLAN—I understood it in that way and I ask the hon. gentleman if he means to say that the law in the two provinces of Alberta and Saskatchewan is the law as amended from time to time by the Northwest Council.

Hon. Mr. BELCOURT—The law where?

Hon. Mr. McMILLAN—The law in Saskatchewan and Alberta.

Hon. Mr. BELCOURT—I say the law of 1905 which evidently my hon. friend has forgotten——

Hon. Mr. McMILLAN—No, I know all about it.

Hon. Mr. BELCOURT—Then he mistakes its meaning. If he will look at the law of 1905 he will see that it is exactly as I state, and I repeat that that is the law which has been in force since Saskatchewan and Alberta were formed into provinces, and it has been exercised as to Keewatin. My hon. friend from Glengarry (Hon. Mr. McMillan) may not agree with me as to its exact meaning, but there is one thing as to which he and I can agree, and that is that that settlement of the school question was satisfactory. Surely he will not deny that there was a settlement in 1905. Surely the hon. gentleman remembers the resignation of the then Minister of the Interior, and surely he remembers what it was about.

Hon. Mr. McMILLAN—Yes, I remember.

Hon. Mr. BELCOURT—My hon. friend will remember that it was because the Hon. Mr. Sifton opposed the adoption of the law of 1875, and resigned from the Cabinet, and that there was a compromise made. He knows that that compromise——

Hon. Mr. McMILLAN—No, I do not know that there was a compromise made at all. I know the whole question was given away.

Hon. Mr. BELCOURT—If my hon. friend will give me a hearing I will take the trouble—not that I am going to convince him, I suppose, because it is quite evident he is not open to conviction—to read the Act.

17. Section 93 of the British North America Act, 1867, shall apply to the said province, with the substitution for paragraph (1) of the said section 93, of the following paragraph.

(1) Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901, or with respect to religious instruction in any public or separate school as provided for in the said ordinances.

2. In the appropriation by the legislature or distribution by the government of the province of any moneys for the support of schools organized and carried on in accordance with the said chapter 29 or any Act passed in amendment thereof, or in substitution therefor, there shall be no discrimination against schools of any class described in the said chapter 29.

3. Where the expression 'by-law' is employed in paragraph 3 of the said section 93, it shall be held to mean the law as set out in the said chapters 29 and 30, and where the expression 'at the Union' is employed in the said paragraph 3, it shall be held to mean the date at which this Act comes into force.

If that does not satisfy my hon. friend it is quite evident there is nothing that will satisfy him. Now, what is the situation which confronts us in dealing with the matter? I have said that in Manitoba they have no separate schools; the majority in Manitoba objects to separate schools. I believe, however, that the majority in Manitoba is not unprepared to give to the Catholic minority in Manitoba rights, perhaps not amounting to the right to separate schools, but very close to it. On the other hand, they have in the province of Keewatin a number of people to-day, small or large I could not say, who have conscientious scruples and who have come to the point that they will not permit an encroachment on their right, if it exists, to separate schools. What are we going to do? Are we going to endeavour to impose on the province of Manitoba the duty of establishing separate schools in Keewatin? I have said no to that question, and I am quite firm about my opinion in that respect. If the rights of the people of Keewatin are not to be respected I submit, since the Bill does not contain any provision concerning the rights of the people of Keewatin, that it is our duty to see if we cannot, in some way or other, protect those rights. I have pointed out before, and perhaps I may be permitted to repeat, that the duty of protecting those rights rests mainly upon our shoulders, because in this matter the parliament of Canada is acting as the agent, the attorney as it were, of those people, and we have no right to hand them over to another territory and thereby attempt to discharge our obligation. Perhaps I might be permitted to give a homely illustration of that point. Suppose the case of a father who, by the laws of nature and the laws of the land, to say nothing of the law of God, is bound to educate his children: Can he relieve himself of that duty by handing that child over to his brother, say, or some other relative who does not believe in education? Can he relieve himself of that duty? We are exactly in the same relation to the people of Keewatin that a father is to his children. By the law of nature, by the law of God and by the statute law we are to-day bound to give the people of Keewatin a certain sort of education. They have a right to ask for it, and they have a right to get it. Are we going to relieve ourselves of our constitutional duty by simply taking those people and handing them over to the province of Manitoba and saying to them, 'You can go to Manitoba; they will look after your rights'? We all know that Manitoba is not prepared to-day to grant to the people of Keewatin the rights to which they are entitled under the statute. I say that the case is an absolutely parallel one to that I have cited; we are in no better position than would be the father who would attempt to do what I have described.

One thing which struck me forcibly all through the discussion in the House of Commons, as well as in this Chamber, was that whilst we may have good reason to believe, or hope at all events, that the majority in Manitoba is inclined to do justice to these people, we have had absolutely no evidence that the government of the day in Manitoba is disposed to do that. I ask every hon. member in this House, who

is willing to approach the subject with absolute impartiality, if it is not the bounden duty of the government of the day, which, after all, is but a committee of parliament, to make inquiry and ascertain from the cabinet of Manitoba if there are not concessions which they would be prepared to grant to-day to the Catholic minority in Keewatin, which that minority would be prepared to accept, and put an end to this matter. Should we not, before passing this Bill, make every possible attempt to remove that difficulty, to get the province of Manitoba to say what they are prepared to do for the minority in Keewatin, and then ask our constituents in Keewatin to consent to these concessions and come to a final agreement? We have in the House of Commons the statement of the Postmaster General and the statement of the Minister of Public Works, both to the effect that they had received absolutely no assurance whatever from the government of Manitoba that there would be any concessions made to the Catholic minority of Keewatin. In view of that, it is our duty, and the duty of parliament, to insist upon the government of Canada asking the government of Manitoba what are the concessions of which we have heard that they are prepared to make. I do not believe Manitoba can be so refractory, and so regardless of the spirit of justice and the interests of Canada at large as to refuse to enter into negotiations for the purpose of settling the matter. At all events, we must assume that the government of Manitoba is disposed to do something on these lines, and until we know it has refused to do anything we cannot believe that it will not do something. Some people will say, as my hon. friend from Glengarry did, that the people of Keewatin have no rights under the law. I have read section 10 of chap. 62 of the Revised Statutes, and I say that that is the law which to-day governs the matter.

Hon. Mr. McMILLAN. I did not say that they had no rights.

Hon. Mr. BELCOURT—I accept the correction, and am very glad the hon. gentleman makes the statement. It has been argued elsewhere that the law of 1875 was not enforced in the territories of Keewatin, that for a year or so it did not apply to Keewatin. That may or may not be. It is unnecessary to enter into that, but one thing which must be convincing to everybody is that it is now the law. It is the statute of 1875 copied word for word. The arguments advanced by the Minister of Public Works and the Postmaster General received no approval from the right hon. Premier. He took no stock in their argument, and in clear language he stated, as I am now stating, that the law of 1875, as reproduced in our Revised Statutes of Canada, is the law of Canada, applicable to the territory, and is the law which governs in this matter. At page 4579 of 'Hansard' the Premier spoke as follows:

> Let me say that the Revised Statutes of Canada, 1906, were proclaimed and came into force on the 31st day of January, 1907. I pass by the question alluded to by my hon. friend the Minister of Public Works and will simply allude to the fact that in July, 1905, an order in council was made by the late administration which, in so far as I have said, was entirely beyond their powers, inasmuch as it exceeded the authority that the statute had bestowed upon it. However, when the Revised Statutes were placed before this House in the following session that order in council was made good in terms by the Revised Statutes, and these statutes are undoubtedly the law of the land to-day.

—'and these statutes are undoubtedly the law of the land to-day.'

I am quite satisfied to agree with such an able constitutional lawyer as the right hon. Premier is. I am satisfied to take my law from him and be guided by him, and I say that any lawyer who has given the matter any consideration must necessarily come to the conclusion that, whatever may have happened in 1876 with reference to the orders in council in relation to the Act of 1875, the Revised Statutes of 1906 contain the law and the whole law. Section 10 reads as follows:

> 10. The Commissioner in Council, if authorized to make ordinances respecting education, shall pass all necessary ordinances in respect thereto, but in the laws or ordinances relating to education it shall always be provided that a majority of the ratepayers of any district or portion of the territories, or of any less portion or subdivision thereof, by whatever name the same is known, may establish such schools therein as they think fit, and make the necessary assessment and collection of rates therefor; and also that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and in such case,

the ratepayers establishing such Protestant or Roman Catholic separate schools shall be liable only to assessments of such rates as they impose upon themselves in respect thereof.

That is the law, and I am quite content to be exactly in accord with the Premier responsible for this Bill in saying that it is the law to-day. It is not the law as it exists in Alberta and Saskatchewan, because the law in Alberta and Saskatchewan, which is the law I have read, was modified by subsequent ordinances: that is, the rights to-day in Keewatin in favour of the Catholic minority are far wider than the rights of the Catholic minority in Saskatchewan and Alberta. There can be no question about that. I am sorry to have to differ from the Premier when he interprets that law. The right hon. gentleman says that to-day there are no vested rights. He would not say that there are no rights. He has too much respect for his legal reputation to say that, but he says there were no vested rights, and how does he come to that conclusion? Because, he says, under section 10 no Commissioner in Council has been appointed, and no Commissioner in Council has been authorized to pass ordinances in reference to education. It is not necessary to be a lawyer, because I think anybody's common sense will tell him that there is a wide difference between a right and the exercise of that right—between a right in posse and a right in esse. I have a right to my property. If my hon. friend to the left comes and builds a house on my lot, and I simply sit by and let him build it, do I lose my right? Have I not the right to put him off? I may be good natured enough to let him sell my property, but I do not lose my property. The law in every civilized country says that that right is not destroyed, but may be lost by prescription. There are statutes of limitations which say, that if a right is not exercised within a number of years it is gone, but in the meantime that right exists. Can it be said that the people of Keewatin have no right to-day because that right has not been exercised, because the schools have not been created and the school houses have not been built? My hon. friend reminds me that they have refused to grant these schools. I do not say they did refuse to grant them, but we have a proof that the demand was made. We have the proof that in one section of Keewatin there are thirty-five or forty children who have the right to a school, and they asked for it, but because the government have not appointed a commissioner and authorized him to pass the ordinances, it is said these people have no right. I stake my legal reputation that, as a matter of law, the people of Keewatin to-day have a right to exercise the educational rights conferred upon them by section 10, chapter 62, of the Revised Statutes, and this parliament cannot relieve itself of its obligation to give to these people the opportunity of exercising those rights by handing them over to somebody else who is not prepared to recognize that they have such rights. I do not suppose any one would dare argue that the government of Canada could indefinitely postpone the appointment of a Commisisoner in Council or the giving of the authority to a Commissioner in Council to pass school ordinances. Surely we cannot, by simply saying 'We will not appoint a commissioner and we will not authorize you to pass school ordinances,' deprive them of their right. If we do not annex this territory to Manitoba we should appoint a commissioner and authorize him to make the ordinances. Is that not the test? Does that not show conclusively that these people have rights which they can exercise, which the government of Canada would be bound to allow them to exercise to-morrow if they made the request? In the other House an amendment was proposed by which it was sought to include in this Bill the provisions of the Manitoba Act. I do not wish to criticise too harshly that amendment, but I cannot help thinking that those who proposed it, either did not seriously consider the effect of it, or that they did it for a purpose. The Mondou amendment meant absolutely nothing. Not only would it not have given the minority their right, but it would have placed them in a worse position than they are at present. It may

be argued—and we heard the statement made within the last few days—that there can be no good purpose served, and no object attained, in asking the government of Manitoba to reconsider the matter and to make concessions to the minority on the ground that any arrangement and any concession that would be made by the government of Manitoba to-day would not be binding on the province, inasmuch as that agreement, whatever it might be, would have to be ratified by the legislature. There can be no doubt about that proposition. I do not dispute it for one moment, but that argument applies with equal force to every provision in the Bill. It applies with equal force to the provision by which the government of Canada is giving them this territory. We are making a bargain, and that bargain is being negotiated, up to the present time, by the cabinet of Canada, a committee of this parliament, with the cabinet of Manitoba. The agreement made between the two cabinets must, of necessity, receive the sanction both of the federal parliament and of the legislature of Manitoba, and it is quite possible, if the government of Manitoba made some concession on the school question, that the legislature might not ratify it, but it is equally true the legislature of Manitoba might refuse to ratify the pecuniary terms which we are now making and putting in this Act. The whole agreement must be ratified by the government.

So that it is no answer to this motion to say that there is no object in asking the government of Manitoba to make these concessions because, forsooth, these concessions would have to be ratified by the legislature. The whole Bill would have to be ratified by the legislature, otherwise there would be no Bill. It is simply, as I stated in the beginning, that it takes two to make a bargain, and so far as Manitoba is concerned there would be no completed bargain until the legislature approved of what its cabinet may agree upon with the cabinet of the government of Canada. That, I think, is a complete answer to that objection. I repeat that the attitude of my hon. friend and myself in proposing the opening of negotiations with Manitoba is quite consistent with what was done in 1897 and in 1905; and I have no doubt whatever that if the government of Manitoba is approached in the same way as the government of Manitoba was approached in 1897, and as the Protestant majority in the Northwest Territories were appealed to and approached in 1905, at the time of the creation of the two provinces, exactly the same result will happen as happened then—we will find that in Keewatin there will be an arrangement made which will be satisfactory to Manitoba and satisfactory to the territory of Keewatin. At all events, if we cannot make an agreement which will be satisfactory to those people, this parliament will at least have discharged its duty to its own wards, to its own constituents, in making an effort to secure for them the protection of the rights which we ourselves granted them and of which we are the sole custodians and guardians to-day

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. BELCOURT—And if the attempt fails, I suppose that this Bill will pass without any protection to this minority. The majority rules; the majority governs; if the majority in this country has not sufficient generosity to recognize the religious scruples and the religious beliefs of a minority, I have nothing more to say. I, for one, shall have done my duty in urging upon the government of the day to try and take this miserable question out of politics, to try and prevent these interminable discussions upon what are, perhaps, in some respect, trifling matters, but matters to which myself, to a large number of gentlemen in this House, and in the other House, and to at least three millions of people in this country, are of a very serious nature. Again I say, if the attempt fails, if Manitoba is obdurate, if Manitoba will make no concession whatever, we at least will have done our duty; and I conclude by simply quoting the conclusion of a newspaper article with every word of which I agree. It is not something said by a Roman Catholic or by a French Canadian, but by one of the great newspapers of Canada, probably the newspaper having the largest circulation

in Canada, a paper which is a supporter of this government, which has always consistently been a Conservative paper, a friend and adviser of this government, and if the majority must rule, if this Bill must go through without any protecton, I would ask hon. gentlemen in this House to seriously ponder the words of the 'Montreal Star,' which, after discussing the vote in another place, said this:

Still we may be permitted to say that peace which we may desire for Canada will not be furthered by too many repetitions of these 'victories' of the majority over the minority. This country has been built up on the most generous and constant recognition of the rights and even the peculiarities of minorities. On no other foundation could it have been built at all. The most important of our minorities should certainly not be made to feel that it must be always 'en vidette,' It should never be put in the position of holding securely only such rights as it is able to defend, and having to sleep under arms if it is to defend them. This is not a case for aggression, but for brotherly kindness. We should be more than just—we should be generous. The cold constitution should not be our final court of appeal—that should be found in the big heart of a growing people. Canada will make a colossal mistake if it scars the memory of a compact minority with an indelible sense of grievance. It will make another great mistake if it stamps as something alien the beautiful language of France which might so easily become one of the cherished birthrights of every Canadian citizen. It will make still another most mischievous mistake if it drives one of the great Christian churches into an attitude of hostility towards the State. The whole tendency of development in the mother country has been in the opposite direction. There is nothing that leaders of British thought are more ashamed of to-day than the 'No Popery' movements and the persecutions of minorities —of whatever race or creed, for their conscientious beliefs. Let Canada keep clear from such memories. Let us honour the man who is loyal enough to love the language of his mother, and has something in his conscience which is not for sale!

An hon. GENTLEMAN—Hear, hear.

Hon. Sir RICHARD SCOTT—Hon. gentlemen, after the very able and lucid address to which we have listened from the junior member for Ottawa, there is little left for me to say on this subject, as he has gone so fully and with such fairness into the proposition he is submitting to this House. All I can say is that the very corner stone of confederation was the rights of the religious minority. Without that concession we would not have confederation to-day. The language used is as positive as words can express it, that the religious minorities in regard to education shall have the same privileges that they enjoyed at that time. In reference to the proposition I may say this, that the liberal contribution now made by the federal government to the province of Manitoba leaves them a debtor to a very large extent, and that the government of the day certainly have it in their power to attach to that liberal contribution such conditions as are reasonable and proper. Manitoba is getting a subsidy dating back four years, while the jurisdiction over Keewatin during those four years rested with the federal government; yet they are getting this large contribution on the assumption that they had been governing it, and it is to date back that long term. Many of the leading members of the government of the day are quite conscious of the unfair way in which the province of Manitoba has acted towards the minority, and of the violation of the terms under which they entered the union. No one can question the fact that Manitoba, in going into the union, accepted the terms that were laid down under the British North America Act. The subject was fully discussed in the parliament of Canada in 1870. I am glad to see present an hon. gentleman who took part in that discussion. The Manitoba Act was submitted to the parliament of Canada in 1870.

The subject was fully discussed by Mr. Chauveau, when the amendment was offered to throw the Bill out. If the population were to come from over the seas, then the Protestants would be in the majority, and if the Roman Catholics were in the majority, it would be quite unfair to the Protestants, and, therefore, the conditions set forth in the British North America Act should be fully carried out with regard to Manitoba. Mr. McDougal moved that the clause be struck out. A vote was taken upon that and resulted in a majority of 47, 34 as against 81, a very large number of Protestants voting for the proposition. I might mention some of the important names that appeared there. John Hilliard Cameron, Mr. Carling, Crawford, of Brockville, Brown, Burton, Archibald, Campbell, Gibbs, Cayley, Grant, Grey, Grover, Hincks, Macdonald, Morrison, Hatcherd,

Hauley and others. A large number of leading Protestants of the day considered that in making arrangements with Manitoba this extract from the British North America Act should be made part of their constitution. My hon. friend opposite (Hon. Sir Mackenzie Bowell) knows very well that what I say is true, because he advocated a different proposal. He voted for the amendment to postpone. Afterwards, by his noble conduct when he became Premier, he certainly made ample condonation for that mistake. The Roman Catholics of Canada will for ever owe him a debt of gratitude for the zeal he displayed in endeavouring to obtain for them the rights that he generously considered they were entitled to under the Act that brought them into the union.

Hon. Sir MACKENZIE BOWELL—Do I understand the hon. gentleman to say that I acknowledge that I made a mistake in 1874?

Hon. Sir RICHARD SCOTT—Oh, no, you acted on your judgment in both cases.

Hon. Sir MACKENZIE BOWELL—I did.

Hon. Sir RICHARD SCOTT—The constitution was there and you obeyed the constitution.

Hon. Sir MACKENZIE BOWELL—And you voted against it.

Hon. Sir RICHARD SCOTT—No, I beg your pardon.

Hon. Sir MACKENZIE BOWELL—Yes, you opposed the settlement we attempted to make.

Hon. Sir RICHARD SCOTT—I shall be glad to explain that fully when we come to it. I took then the course that I should take again, and that any sensible man would take. Reference had been made to the convention of 1897 in which representatives on the part of Canada and Manitoba met together with the view of having an arrangement. What was our position? By a great blunder of the Privy Council of England, Manitoba had obtained an extraordinary advantage, which they were determined to maintain. When we met together the assumption was that we would obtain some substantial right that would be worked out satisfactorily for the minority. Our position was like Hobson's choice: We were the beggars, they were in possession under the law, and would only concede a certain proportion. We sat for hours in dumb show, we demanding something they would not yield to us. We could only accept what they were prepared to grant, and that, I do not hesitate to say, was a very minimum share of what the minority of Manitoba were entitled to. My hon. friend who has just taken his seat (Hon. Sir Mackenzie Bowell) I think was rather in error in saying that the Privy Council, in their judgment, stated that the powers of the legislature had not been exceeded in passing the Act which took away from the minority their rights. They did not decide upon the constitutional point at all. The point they decided on was that they could not see where the grievance came in. You can scarcely understand that six gentlemen, assuming to be lawyers, had so little understanding that they could not comprehend the grievance the minority were suffering from. I will just read you the conclusion of their judgment. They recite the facts and then they say:

> Such being the provision of the Public School Act of 1890, their Lordships have determined whether or not the Act prejudicially affect any rights or privileges with respect to denominational schools which any people had by law or practice in the province at the Union.

That is the point. What do they say?

> Roman Catholics, or members of the church of England, who are taxed for public schools and at the same time feel themselves compelled to support their own schools, are hardly in any less favourable position than those who can take advantage of the free education provided by the Act of 1890.

That may be, but what right or privilege is prejudicially affected by the law? It is not the law that is involved, it is owing to a religious conviction, which everybody must respect, and to the teaching of their church, that Roman Catholics and members of the Church of England find themselves unable to partake of the advantages which the law offers to all alike. Their lordships could not see where the grievance came in. It was not that they were not willing to settle it, but they could not comprehend. They got a little light a few years after-

wards, when a member of the Privy Council was appointed at the same time we appointed Sir John Thompson to attend the Paris convention as to certain trade relations. Sir John Thompson explained to the members of the Privy Council the blunder they had made. When the matter went back to them in another form, they contradicted everything they had said on the former occasion. They said there were rights and privileges, and that these rights and privileges were being destroyed by the legislature, but they said, 'You must apply to the parliament of Canada; we have no power to right the wrong.' They could not reverse their former judgment, and they threw the responsibility on the parliament of Canada. They said the minority could appeal to the parliament of Canada under the British North America Act. That appeal could not properly be carried out. Some fifty years ago I passed a Bill in which an appeal lay from the Superintendent of Education of Canada; Egerton Ryerson was then the head of the public school system in Upper Canada. He was not a member of the government and he was adverse to separate schools, and there was an appeal from him to the Governor in Council. That appeal could be easily carried out, because Egerton Ryerson was an employe of the government of Canada. They thought the same appeal ought to be taken in the Manitoba case, but it was absolutely impossible to carry it out. When the second judgment was given, and when the Privy Council of England discovered they had made a blunder on the former occasion, they attempted to rectify it by throwing the responsibility on the parliament of Canada. My hon. friend opposite (Hon. Mr. Bowell) at that time was Premier, and introduced remedial legislation. The effect of that was that three members of the cabinet resigned. Two of them returned, and the crisis occurred, and nothing was done in that year. In the following year, 1896, when a proposition was made to bring in the Remedial Bill, seven of the ministers resigned.

Mr. CLORAN—The nest of traitors.

Mr. SCOTT—They resigned and remained out for some time, and it was not until March of that year that the Bill was brought up in the House for the second reading. It passed the second reading with a fair majority. The following month, it was before the committee of the House on the 12th, 13th, 14th and 15th of April. The Bill consisted of 144 clauses. During the time it was in committee fifteen of these clauses were passed with 44 amendments. When I tell you that the life of parliament ended on the 24th April, and they had only ten days to put that Bill through, you will understand it was impossible to pass that law during that session. The main objection to the Bill was that the government of Canada could not compel the legislature of Manitoba to allot to the separate school fund any proportion of the education money year after year. As the hon. gentlemen know, in the provincial assemblies a vote is allotted for school purposes, and therefore it is impracticable, because Manitoba had obtained an advantage, very improperly. It is a foul blot on the history of Manitoba, and it will never be erased until justice is rendered to the minority under the constitution. I would like to draw a contrast between the conduct of Manitoba and the conduct of another province.

Hon. Sir MACKENZIE BOWELL—Before the hon. gentleman proceeds any further I would like to correct a statement that he has made, that the resignations which took place in 1896 were on account of the introduction of the Remedial Bill. That was not why they resigned. If he will look at the records he will find they state distinctly that there was no difference of opinion as to the policy of the government upon that question.

Hon. Sir RICHARD SCOTT—Was that in 1895 or 1896 ?

Hon. Sir MACKENZIE BOWELL—That was in 1896 when the resignations to which the hon. gentleman has called attention took place. It was not for that reason at all.

Hon. Sir RICHARD SCOTT—The hon. gentleman knows better than I do.

Hon. Sir MACKENZIE BOWELL—Yes, I think I do.

Hon. Sir RICHARD SCOTT—In 1895 it was said that the three ministers resigned on account of the Remedial Bill.

Hon. Sir MACKENZIE BOWELL—No, no.

Hon. Sir RICHARD SCOTT—When the British North America Act was framed, and these clauses were prepared in reference to the educational question, it was assumed that the denominational schools in the four provinces were recognized by law, and therefore the Act read in this way: That wherever denominational schools existed by law they were to be preserved and continued, and provincial legislators could not prejudiciously legislate against them. After the convention had agreed to these terms, it was discovered that in the province of Quebec the dissentient schools had been carried on entirely by courtesy; they had no legal recognition, and therefore they were not protected under the British North America Act. What was the effect? Sir Alexander Galt resigned, as a protest. His colleague assured him that no injury would arise, and that the province of Quebec would do what was fair and right. Sir George Cartier gave his pledge that the dissentient schools would be properly protected. Sir Alexander Galt said 'No, it is my duty to see the dissentient schools properly protected before I give my consent to the British North America Act.' He resigned. Sir George Cartier assured him that, at the first meeting of the provincial legislature, the mistake would be rectified, and it was rectified the following year, and the following year Sir Alexander Galt became a member of the government. Contrast that conduct with the conduct of the government of Manitoba. Manitoba availed itself of its opportunity to renounce the separate schools. Had Quebec availed itself of the opportunity of not recognizing the dissentient schools, the charter of confederation would have been torn to atoms. Do you suppose that the Protestant majority over Canada would have permitted it? Not for one minute. Yet there are many persons who justified the Act in Manitoba, in solemnly entering into a contract on entering the union, and afterwards violating it. I cannot understand how any gentleman can for one moment defend or approve the action of the province of Manitoba. They passed the Act conferring the rights and privileges of separate schools in 1871, and for nineteen years it continued. It so happened that a Mr. Martin, who is now a member of the British parliament, and who is rather an eccentric individual, off his own bat repealed the Act. The Dominion government of the day was to blame very largely for the trouble we have now, because they did not disallow the Act. An application was made to the government but they said 'no, it is ultra vires and the courts will set it aside.' It came before the Supreme Court. Four of the judges were Protestants and two Roman Catholics. The six judges were unanimous that the law was ultra vires and contrary to the constitution, yet the Privy Council of England swept aside that judgment of these six judges who were familiar with the question. Several of them had taken part in the formation of confederation, and knew what was intended and had a knowledge of the law. With these facts staring us in the face, it is very hard to understand why any government at the present day, conferring a vast financial advantage on Manitoba, would not couple with it a remedial measure necessary to put the Roman Catholic minority on the footing it enjoyed at the time Manitoba came into the union. The members of the government fully appreciate the provision is made clear, because in another place I notice that Mr. Monk is reported in 'Hansard' of the House of Commons as attacking Sir Wilfrid Laurier because he agreed to the memorandum that was settled in 1897. He said:

> On every occasion that it has been discussed by me in public I have declared that the time for our interference was passed. The right hon. gentleman said that the agreement brought down and placed on the table of the House bore no signature. The duplicate of it was brought down before the House in Manitoba, and upon that document the signature can be found.
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> I will not comment upon it at length but I will say this as a man who represents and believes in British institutions after all the boasts of my right hon. friend it results in this: That the minority at the present

moment in Manitoba who have their voluntary schools and for conscientious reasons cannot attend the public schools, are obliged to pay taxes for the support of the schools to which they cannot send their children, and at the same time to support their own voluntary schools. I say if you call that a fair agreement and the result of conciliation, the right hon. gentleman had very good reason not to place his signature upon the agreement when he brought it down to the House.

That shows what Mr. Monk thought of it. Now, the Minister of Justice, in discussing it, rather intimates that the time is favourable for Manitoba making the proper concessions to the minority. He thinks it can only be done by conciliation, and he hopes the result of the negotiations that have been going on recently, in reference to the subsidy and the concession of Keewatin, will have the effect of inducing Manitoba, of its own mere motion, to restore to the Catholic minority their rights, of which they have been so unfairly and improperly deprived. In the same debate he said—I am reading from 'Hansard':

I may perhaps venture to say to my friends from Manitoba that it would be a not unfitting recognition on their part if, on some future day, on giving thought to the situation in that province, they came to realize that those with whom those who have acted as we have acted especially sympathize, are not enjoying the full liberty which they are entitled to and to which they aspire. Not that we ask for any promise or any guarantee from them. They should, in dealing with that question, so act as to show themselves not less generous in recognizing the rights, or the claims if you do not choose to call them rights, of the class of people with whom we are particularly in sympathy, then I think we may claim to have proved ourselves in our present action in their regard.

That is the Minister of Justice, evidently in the same line recognizing that the minority are entitled to privileges of which they have been improperly deprived. But, of course, the strongest point is the one to which I referred in opening, that the very corner stone of confederation is the recognition of those rights. When it was found that there were three provinces that did not come within the Act it created a very great deal of excitement over the country. Hon. gentlemen will remember that in New Brunswick an appeal was made to the parliament of Canada on two different occasions. I believe that has been satisfactorily settled? In regard to Nova Scotia the same condition existed, but Sir Charles Tupper and Archbishop Connolly got together and drew up a memorandum which has been respected by the majority in that province, and I believe no further trouble has risen. There is friction only in the province of Manitoba, where we supposed that we had made the terms so plain and so clear that it would be utterly impossible for the province to violate them. They only accomplished it by violating the provisions under which they came into the union. Now, I would like to say a word or two as to why Catholics feel so strongly upon this question. They regard religion as part of their education. If education is confined to the three R's it does not build up character, does not add to the strength of morals, or honour, or propriety. We have an illustration of that in countries outside. There are only two countries where religion is absolutely excluded from all education under the constitution of the country; those are France and the United States. France now is drifting into infidelity. The United States is not a paragon, I think, from which we should copy. It would surprise the pilgrim fathers, and the men who founded the United States constitution, if they were alive to-day, to discover what the effect of the public school system had been in the one hundred years. Egerton Ryerson borrowed the public school system of Canada from the United States. If we are travelling in that direction, and if the lines will lead to the condition existing in the United States, it will be a sorry day for Canada. As you all know, the United States by law, under their constitution, excluded religion from the schools, and what is the consequence? There are more murders, more crimes of every description in the United States than in any other country in the world. Last year the number of murders was over nine thousand. It is estimated that in Chicago a murder is committed about every thirty-six hours. Hon. gentlemen cannot take up a morning paper without finding crimes of every description happening day and night in the whole of that country. I would like to recall to their minds the trial that has been going on at Los Angeles, where the evidence has disclosed that the Amalgamated Steel Union workers have, in the last six years,

blown up nearly one hundred buildings, offices and factories, simply because they were open shops. What did the trial of the McNamaras at Los Angeles disclose? That a fiend blew up that building simply because it was what is called an open office. A printer need not necessarily be a member of a particular union to obtain employment there, and because of that, the miscreant sets a bomb under the building at seven o'clock in the evening and goes off to a distant city. The bomb had attached to it clock machinery by which it would explode three or four or five hours afterwards. People were coming and going in that building during the evening, and innocent men were working there, but the miscreant had no thought or consideration for their lives. Nineteen men were blown up in that one particular instance. I just menton that as an illustration to show the condition that things have reached in the United States. I do not think it is necessary to go on and paint the school system that prevails in that country. It is estimated to-day that there are between thirty and forty million of people in the United States who have never entered a church.

In the leading colleges and universities of the United States we know what is called the doctrine of modernism has taken possession of the professors. They have ignored God. Their reason and their views of right are what prevail. Hon. gentlemen reading the United States papers will know that the statements I make are not in any way exaggerated. They have institutions in the United States where a clergyman is not allowed to enter. I know of one particularly which I visited. Take the Girard college in Philadelphia, a large institution finely endowed, and yet if you get a card to enter you will see on the card 'No clergyman of any denomination is allowed to enter this building.' A few years ago Carnegie, in order to get rid of some of his millions, announced that he was prepared to grant pensions to teachers of particular leading colleges and universities, but he attached this condition to it, that it must be an institution where religion has not been taught. Just imagine a man attaching a condition of that kind, making a gift, but declaring that it must not be to a God-fearing institution. It must be entirely independent of religion, and not an institution in which the worship of God is tolerated. Is it desirable that Canada should drift in that direction by ignoring religion in the schools? A few days ago some seven or eight hundred teachers of Ontario met together, and the chairman of the body stated that he was sorry to say that immorality prevailed in the public schools of Ontario to a very great extent, and called attention to it, made a number of comments on it which were also discussed. I read an extract in the Toronto 'Globe' headed in large letters 'Immorality in the Public Schools.

Hon. Mr. CLORAN—We do not have to go outside of Ottawa for that.

Hon. Sir RICHARD SCOTT—That is the consequence of ignoring religion, and, therefore, in discussing a question of this kind, the moral influence should be an element governing our views. No one for a moment can doubt but what the influence of religion is good. Surely we have not reached that stage that we cannot recognize that Christianity helps to make men better, that the object of our lives ought to be to prepare for another world, and if religion is entirely excluded from schools boys and girls grow up without any religion, immorality prevails, and the human race, of course, deteriorates very rapidly. That is one reason why, in a case of this kind, if one's mind is just on the balance, he should lean rather towards favouring the teaching of religion in schools. I am not speaking in reference to any church particularly. All churches should recognize that denominational schools are very much better than public schools. In my early days denominational schools prevailed to a much larger extent than to-day. All the various churches for higher education established schools. The Methodist church had Victoria College, the Church of Scotland had Knox and Queen's College. In the early days, at the head of Toronto College there was always a clergyman, Dr. Strachan at that time, I think. I know in my early days there was a clergyman at the head of Toronto College, and therefore, it is a very unfor-

tunate thing that we should drift away from the position Canada occupied years and years ago, by our objecting to denominational schools, and rather favouring public schools. Confederation would have been almost impossible unless the rights of the minority in regard to education had been an absolute provision of the contract, and in regard to Manitoba, that province had accepted the condition at the time she came into the union, and for nineteen years had carried it out, and there was no justification for the repeal of that Act. I may say, further, that it is quite evident in Manitoba that the arrangement we endeavoured to make in 1897 has failed, inasmuch as in Winnipeg and in Brandon, my attention having been called to them particularly, the Catholics pay their taxes to the common school fund, and also have to support the Catholic denominational schools. I cannot say that I favour the amendment proposed by my hon. friend from Ottawa. I do not think it is a wise one. I do not think we can obtain anything by interfering in this matter. You might attach a condition in regard to Keewatin going in, but in so far as the proposed change in the terms with Manitoba itself is concerned, it does not seem to me diplomatic or expedient. The members of the government may have some, I will not say promise, some intimation that later on as has been foreshadowed by the Minister of Justice, and partly by Mr. Monk, something will be done. I do not think we can extort anything by adding to the present Bill a provision of that kind, even as far as the territory is concerned. The minority of Manitoba have to trust in the future to the generosity, fairness and liberality of the government of Manitoba. No one is in a position to-day to say that, if a proposition is made to enlarge the terms of the school Bill in Manitoba, the legislature would adopt it. On the contrary, I should say, by our interfering with it, we would only create a hostile attitude, and therefore, where we are dealing so liberally and generously with Manitoba, I would prefer that any change would be a voluntary one on their part, and not extorted by the parliament of Canada. An amendment in that direction would not really be advisable or prudent. I am quite agreeable to the amendment, in so far as Keewatin is concerned, that the law, at all events, shall not be abridged in reference to that portion of the territory, but on the larger question, with the statement made by the two leading members of the present government, I do not think it would be wise for us to attach any condition to the Bill now passed, but leave it entirely to the generosity and liberality of the people of Manitoba to reconsider the case, and in the hope that a change may take place which would improve the position of the minority in that province.

Hon. Mr. DAVID—I intend to move some amendments, but before doing so I wish to make a few remarks, which I have written, because the question is very important, and I do not wish to say any more than I need. There are certain facts that cannot be denied. It cannot be denied that the Laurier government has been denounced with a great deal of violence for the last fifteen years because they have not settled the question of the Catholic schools of Manitoba and the provinces of Saskatchewan and Alberta in such a way as to give satisfaction to the Catholics of this country, and especially the province of Quebec. No one can deny that the chief of the late government was denounced everywhere on the hustings, in the Conservative and Nationalist press, in public institutions, colleges, and even in schools for being more or less a traitor to his race and to his religion because of the settlement of the school question in Manitoba, Saskatchewan and Alberta. It was said, and repeated, that it was a misfortune to to have at the head of the government a Prime Minister who was a Catholic and a Frenchman, because he was obliged to make concessions with a Protestant, an English Prime Minister, would not be forced to make. I do not like to say too much on this question. But I cannot help asking those who dared to make this statement, if they have gained by the change? I have a great respect for the Prime Minister of the present government, but I should like

to know if those who have contended that it was a misfortune to have a French Catholic for a Prime Minister can see that any benefit has arisen as a result of their campaign of denunciation. They not only denounced the policy of conciliation and of mutual concessions of the late government and of the Liberal party, as a crime, but they declared and promised solemnly on the hustings and in all their newspapers, that if the Laurier government were defeated justice would be done to the Catholic minority and to the French population of the province of Quebec, that all the injustices which were committed by the Laurier government would be removed. Nobody can deny those facts. But there are other facts which are equally true. They repeated that they would, at the first opportunity which might be offered them after the assembling of parliament, proceed to remedy those evils. We know that one promise was that the naval law passed by the late government would be repealed—but let us not deal with the question of the navy, let us stick to the school question. In all the newspapers and on the hustings during the last election, and since 1896, they promised the people that they would do their duty in this respect. They even denounced as a crime the policy of conciliation and concession adopted by the Laurier government. What are the facts? What have they done? In vain I look through the Bill to see if there is something which justifies there denunciations and fulfils their promises. I read between the lines to find something, but I see nothing at all—I do not see even anything similar to the school system which was established in the provinces of Saskatchewan and Alberta, which have been denounced with so much violence, and which is now so well appreciated that a few days ago at a meeting of the Catholics of Vancouver, it was declared that they would be happy in the province of Manitoba to have the school system which is in existence in the provinces of Saskatchewan and Alberta.

Hon. Mr. LARIVIERE—My hon. friend knows very well that half a loaf is better than no bread.

Hon. Mr. DAVID—Yes. It is incredible, after the denunciations which have been uttered, the solemn promises which have been made in the whole country, which are the cause in a great measure of the success of the Conservative and Nationalist party in Quebec, that these promises were not fulfilled by inserting something in the Bill in accord with what they have preached for the last fifteen years. We must suppose that they are men of honour who desire to keep their reputation and not be considered as impostors in the eyes of the country, and their conduct is incredible, unless they have been promised that something would be done to satisfy the Catholic minority of Keewatin and of the province of Manitoba. They must be in possession of some assurance, if not a positive and final promise. Something must have been done to persuade the members of parliament to vote as they did, and to induce the public to think that something would be done to remedy those injustices which they have so violently denounced. I feel sure that members of parliament and others have been influenced by such promises and declarations, as stated by the hon. gentleman from Grandville (Hon. Mr. Choquette) and there is reason to believe that the declarations will perhaps have some influence in this House, and that some members of this House may be induced to do what others have done in another Chamber under the same impression, and that is why it is important to know what is true or false in the declarations and the allegations made by the hon. gentleman from Grandville. It is in the interests of the country and parliament that we should be assured as to the extent to which those declarations are justified. This is the justification of the amendment moved by the hon. gentleman from Grandville, seconded by the hon. gentleman from Ottawa, and so ably supported by the two hon. gentlemen who have just spoken. But it has been said, and it will be repeated, that the object of the amendment will be to defeat the Bill; and as we want to show our sincerity, and show that there is no such object or design, I have decided to move the following sub-amendment:—

That all the words in said amendment following the word 'postponed', in the second line, be struck out, and that they be replaced by the following words: 'Until the 27th of March, instant, and that in the meantime the government be invited to communicate with the Manitoba government and ascertain to what extent the said government would be disposed to guarantee to the minority a system of schools which would be satisfactory to such minority.'

Hon. Mr. POWER—That is just a week.

Hon. Mr. DAVID—A week, because I think it is a reasonable delay which will allow the government to do what is indicated in this sub-amendment. I think the government ought to be happy to seize such an opportunity, by accepting this amendment, to give the hon. members from the province of Quebec who represent that province in the government, a chance to be faithful to their promises and to justify their conduct in the eyes of the whole country and especially in the eyes of the province of Quebec. There is here no coercion at all. Within eight days the government will be able to communicate with the Manitoba government and be in a position to see if the government of Manitoba is disposed to give effect to the declarations made by the Hon. Mr. Rogers in another place, by the Postmaster General, and more or less by the Minister of Public Works, which have been supported to some extent by some newspapers, and especially 'La Patrie' of Montreal. I say it is the duty of the Senate to vote for such an amendment, and to show that they are disposed to be faithful to their mission, which consists especially in the preservation and protection of the rights of minorities.

The SPEAKER—I call your attention to some missing words in the amendment of Hon. Mr. Choquette as printed in the 'Minutes.' It should read: 'With a view to the amicable definition in the light of existing laws.'

Hon. Mr. LARIVIERE—I am not approaching this subject with any paper clippings, or even with any statutes. I only want to speak on the facts as they exist, and as they have existed, but I must say that I listened with a great deal of interest, in the first portion of the debate, to the remarks made by my old schoolmate, the hon. gentleman from London (Hon. Mr. Coffey), and I also listened to the good advice given to us by the hon. member from Halifax (Hon. Mr. Power), as well as by the revered old gentleman who is the father of the separate school system of Canada—the senior member for Ottawa (Hon. Sir Richard Scott).

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LARIVIERE—But, at the same time, I was surprised that my hon. friend the junior member for Ottawa (Hon. Mr. Belcourt) and the member for Grandville (Hon. Mr. Choquette) assaulted us with statutes and clippings from newspapers to convince us that there is a grievance about the school question in Manitoba; and all this after boasting for fifteen years that the school question was settled by the Right Hon. Sir Wilfrid Laurier.

Some hon. MEMBERS—Hear, hear.

Hon. Mr. LARIVIERE—The school question will never be settled until justice is rendered to the minority of Manitoba; and it is not settled yet. My hon. friend, the junior member from Ottawa (Hon. Mr. Belcourt) has stated that in Alberta and Saskatchewan the minority are satisfied—that they have separate schools. Yes, the law gives them the power to have separate schools; but there are so many——

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

Hon. Mr. LARIVIERE—I am speaking, and when I have done the hon. member can speak all he likes. My hon. friend from Ottawa has stated that the minority in Saskatchewan and Alberta are satisfied because they have separate schools. Well, they have separate schools under the law, but there are so many loopholes in that law that the existing regulations make the separation disappear. That is to say, they have no religious instruction during school hours; they have no school books of their own, they have no separate schools except in name, and the people are not satisfied. My hon. friend from Mille Iles (Hon. Mr.

David) has told us that the people of Manitoba, at a large meeting held a few days ago, said that they would be satisfied if they had just a law like that of Saskatchewan and Alberta. Yes, because they did not expect to get any more than that, and as I said a little while ago, they were satisfied with the law because 'half a loaf is better than no bread.' That is the position to-day. I do not wish to come here to make a political fight. We should get that question outside of politics.

Some hon. MEMBERS—Hear, hear.

Hon. Mr. LARIVIERE—Do not let us go into party lines. My hon. friend has said that we have been clamouring for fifteen years because of grievances in Manitoba. Yes, and we are clamouring yet; we are insisting yet on justice being done to the minority of Manitoba; and I am glad to see that now we find a large number of friends that never joined us before. Is it for party politics sake? I do not know, but to-day they admit that there are grievances in Manitoba. Well, there are grievances in Manitoba. If this amendment that has been proposed should be adopted by this House what will be the consequences? The Bill would be withdrawn.

Hon. Mr. CHOQUETTE—Why would the Bill be withdrawn? Is it because Manitoba refused to do anything according to promise?

Hon. Mr. LARIVIERE—The hon. gentleman said that; I did not say so.

Hon. Mr. CHOQUETTE—But your chief, the Postmaster General, said so.

Hon. Mr. LARIVIERE—Well, the Postmaster General is in the other House; he is responsible there for what he says. We have nothing to say in this House about what is being done in the other House.

Hon. Mr. POIRIER—We have no right to.

Hon. Mr. CHOQUETTE—It is just repeating what you said yourself for fifteen years.

Hon. Mr. LARIVIERE—As I said when I began, I did not come here with newspaper clippings, books or anything like that. I am discussing the facts as they exist. I did not take any notes, and those gentlemen purposely want to mix up my ideas on this question. I said this: That if this Bill is amended as proposed, the government will not accept such an amendment, not because they think that Manitoba will not do the right thing this time——

Hon. Mr. CLORAN—This time.

Hon. Mr. LARIVIERE—This time, yes, and you will find it out too soon, perhaps, for what you expect. I believe that the legislature of Manitoba will this time open their eyes to the consequences of their misdeeds in the past. This amendment demands that the government here approach the government of Manitoba. The government of Manitoba has no more to say on this question than the government here; it is the legislature of Manitoba that has all to say about it. It is the legislature that will change the laws that are in force there to-day, and therefore this amendment is perfectly worthless because it directs an appeal to a body which is not responsible. Of course, the government may lead the House, they may even instruct the House, but that is not sufficient. They must have the support of the House as well. And if my hon. friend the member for Portage la Prairie (Hon. Mr. Watson) has anything to say in the matter, the House will not approve of any such settlement as is proposed by my hon. friend. After all the agitation that has taken place both in Manitoba and in the eastern provinces, I say unhesitatingly that the legislature of Manitoba will have their eyes opened and will offer a remedy for the present situation. If they fail to do that, if they do not acquiesce in the request of the minority of Manitoba, I for one will introduce remedial legislation in a future session of this House. We still have the right to pass remedial legislation. The order in council ordering the modification of the school laws in Manitoba is still in force. It never was repealed. The so-called settlement made by Sir Wilfrid Laurier, and by Mr. Clifford Sifton, does not stand; it is no

settlement at all. It was never accepted by the minority, and therefore it rests with this parliament here to settle the question. In 1875, when the constitution was given to the Northwest Territories, as the Bill passed the House of Commons there was no reference to the school question at all. It was in the Senate here that the clauses respecting education were embodied in that measure.

Hon. Sir RICHARD SCOTT—Yes.

Hon. Mr. LARIVIERE—My friend the senior member from Ottawa says yes. I remember very well that the then member for St. Boniface, the late Senator Girard, made the proposition, and he was supported by my hon. friend from Ottawa, (Hon. Sir Richard Scott) and it carried here and the amended Bill went back to the Commons. It was admitted that a mistake had been made by the House of Commons, and they accepted the amendment by the Senate. This House is the guardian of the privileges that the minority possess, and it is the duty of the Senate to remedy any grievance that may exist. I, therefore, ask you once more, and I call upon all friends around me, whether Grit or Tory, to see that justice shall be done for the minority of Keewatin, and later on, if necessary, I will ask you to adopt remedial legislation.

Hon. Mr. CLORAN—When the hon. leader of the government introduced this Bill, my voice was the first raised in regard to the absence of this very contentious clause. I asked the honourable the leader of the government, if there was any provision, veiled, or unveiled, in the Bill to safeguard certain rights. He very politely told me to look through the Bill and see for myself. The answer was as polite as he could give, but it was not suited to his ministerial dignity. I knew the contents of the Bill, but I wanted the leader of the government to state if this Bill did contain, in some way, a provision to protect certain rights. I have gone through the measure and I find an absolute lack of any such provision. I rise, therefore, not to protest against the Bill, or to attempt to block its passage, because I am in favour of the principle of giving to Manitoba more territory than it has; but to ask the government to make provision in the Bill, in black and white, in good printer's ink, to maintain the existing rights of the people now residing in Keewatin. I am not asking for anything outside the bounds of reason. I am simply putting a plain proposition before the government, that a proviso shall be made part of the Bill that all rights now enjoyed by the people, civil or otherwise. shall be maintained after Keewatin is annexed to Manitoba. Can the hon. leader of the government in this House object to that demand? Can the government of the day refuse to grant it? Does the government of the day wish to hand over territory to another province, and deprive the people who reside in that territory of their existing rights? Is that the object of the government? It cannot be, but it will be the result if this Bill is passed, as it now stands. The object of the government is to extend the boundaries of Manitoba. We are looking after interests in land and cattle, but we are paying no attention to the rights of the men who live in this territory. Do not let us treat them as slaves, as men were treated in the olden times when they were tied to the chariot wheels of the conquerors. Do not let us throw these people into the jaws of the Manitoba wolves, who will eat up all their rights inside of twenty-four hours. I venture to say if the matter went to the Supreme Court, where I hope it will go some day, that they would hold that no government has the power to hand over this territory and its people unconditionally. I believe the Privy Council will hold that it is unconstitutional and against freedom, liberty and justice. If this amendment does not carry, an amendment should be made to this Bill whereby the Supreme Court, or the highest court in the empire, shall declare what are the rights of the people in that territory. There is the position clear and plain. I am not appealing on religious, or secular, or any other grounds. I heard my good friend from Provencher (Hon. Mr. LaRivière), dilate, with tears in his throat, about the grievances of the Catholic minority in Manitoba. Their grievances have nothing to do with this Bill.

Hon. Mr. BELCOURT—Hear, hear.

Hon. Mr. CLORAN—Let it be well understood that we are not here to upset the existing condition of things in Manitoba.

Hon. Mr. LARIVIERE—What about the amendment?

Hon. Mr. CLORAN—We are not here to dispute the right of Manitoba as it stands to-day, but we are here to dispute the right of Manitoba to take over a new territory and to put upon the people of that territory the yoke that the minority of Manitoba have endured for the past fifteen years.

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

After Recess.

BILLS INTRODUCED.

Bill (106) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

Bill (143) An Act to amend the Can ada Shipping Act.—Hon. Mr. Lougheed.

Bill (144) An Act respecting aid towards the construction of the Canada Northern Alberta railway.—Hon. Mr. Lougheed.

MANITOBA BOUNDARIES BILL.

DEBATE RESUMED.

Hon. Mr. CLORAN—When the House rose for recess I was about to call attention to the remarkable speech made by the hon. member for St. Boniface (Hon. Mr. LaRiviere). For a maiden effort it was most acceptable in a way, but the point he desired to make was not so acceptable. He attacked several speakers who had preceded him, for what reason, or from what motive I do not know. It is plain he has not forgotten the past fifteen years. The members who have spoken up to the present have had different views, but they have spoken to the question, while the hon. member from St. Boniface confined himself to Manitoba and the grievances of the people there under the School Act. Why that subject was brought in I do not know, unless it was to raise a prejudice against the men who are supporting this amendment. I do not think he was justified in the course he pursued, because a man who stood by a certain policy seventeen years ago might stand by a different policy to-day. That would be no reason for attacking him on ancient grounds. We have had enough antiquity in this House without importing it into the discussion. One of the first senators to speak was the hon. member for Saskatchewan (Hon. Mr. Davis), the doughty champion of the people of the Northwest. He found fault with the Bill because it was unfair to the people of Saskatchewan, and proved conclusively to my mind, and to others in this House, that his objection was well founded. The best evidence of its unfairness in that respect lies in the very correspondence that passed between the Prime Minister of the Dominion, and the Premier of the province of Saskatchewan. The Prime Minister of the Dominion cut off all negotiations most abruptly, and said he had not time to deal with the matter, just as if the province of Saskatchewan had not the same rights to recognition with regard to that territory as Manitoba, Quebec or Ontario.

Hon. Mr. MACDONALD (British Columbia)—No comparison.

Hon. Mr. CLORAN—There is no comparison, but comparisons are odious often, as the old poet said. Comparisons are odious especially when they expose injustice and unfairness. The senator from Saskatchewan made his case clear that Saskatchewan was not fairly dealt with in the conferences and in the negotiations that went on, and that led up to this Bill, and he declared that he was prepared to vote against the Bill and to move a six months' hoist. There is one gentleman that spoke to the point on the Bill. Then he had the senator from London (Hon. Mr. Coffey), who declared the Bill to be unjust, and in his learned essay, or pronouncement, on the question I think he proved up to the hilt that this Bill would eventually involve injustice the same as had been practised in Manitoba since 1899 or 1890. That was one good reason for opposing the Bill. Then we had the senator from Portage la Prairie (Hon. Mr. Watson), who found nothing good in the Bill, absolutely nothing—found it unfair towards Manitoba, un-

just in many respects; and he wound up his remarkable statement by saying that the Bill was a bad one. He repeated the declaration several times, but strange to say, as a legislator addressing his peers, representatives of millions of people in this country, after telling them that the Bill was unfair and unjust to his province, and that it was a bad Bill, yet declared that he would vote for it. Where can you find a parliamentary institution in the civilized world where a legislator will get up and say a Bill is rotten and bad; still he will vote for it. That is a remarkable statement to make. Then we had other senators who lamented the fact that this school question was still in politics. Well, I do not lament the fact at all. Education is one of the most vital interests that can come before any body of men, and it is no reason to support a Bill to say that it is a pity to drag education into politics, or into public discussion. Education is a live interest and always will be in one way or the other. I intend to discuss this Bill from one or two points of view, those of honour and honesty that ought to exist between man and man; that fair-play and justice should be handed out by the governing authorities to the governed. Now, what is meant by honesty and honour between man and man? It means that one man shall not take the other's property for his own use and benefit; that is honesty and that is honour between man and man. Under the system which this Bill proposes to place Keewatin in, that is the Manitoba system, you force them to accept a worse position than they occupy now If this Bill goes through without being improved—I do not say amended, but improved—you place the people of that new territory, who are enjoying certain rights to-day, in a perilous position, in a position of unfairness, in a position taking away their right. This cry of separate schools is to my mind a simple one. It has puzzled me all my life, at least since I have taken an interest in questions of public polity and public issues, to find such bitterness against separate schools.

When the majority of the people, probably 90 out of 100 were Catholics, the Catholics granted separate schools to their non-Catholic friends. I contend that there are to-day in this country three classes of population—Catholic, non-Catholic, and non-Christians. I venture to say there is not one Catholic in the Dominion of Canada who would demean and degrade himself by taking a dollar from a Protestant fellow man to educate his Catholic child, and then force the Protestant to educate his Protestant child at his own expense afterwards. We find communities at large, men who ought to know and act better, be more honest, and have more honour, go to the poor Catholic father of eight or ten children, take his one, two, three, four, five or ten dollars and appropriate it for the purposes of his Protestant school to educate the Protestant child, and then force the poor Catholic to bleed himself once more to secure the education of his own Catholic child. Is that not a thing to be ashamed of? Is that fair and honest between man and man? That is done to-day in Manitoba, but I am glad to say not throughout Canada. We would disdain to do that in Quebec, and I am glad to say that under the guidance of men like Mowat, Ross and others, the province of Ontario has time and again refused to do what Manitoba has done, and the Catholics of Ontario have the same rights as the Protestants in Quebec. Why should the same system of honour, fair-play and justice not exist in Manitoba? Why should that province take from the poor Catholic people money to educate their children? This Bill gives them power to do that in regard to Keewatin. Is there a gentleman among us who is prepared to say that Manitoba shall be given a chance to bleed the Catholics of Keewatin, the same as she has bled the Catholics in Manitoba for the benefit of Manitoba and against the welfare of the nation? Remember that the men who do this are the rich men, because the Catholic portion of the population of the Dominion is much poorer than the non-Catholic and non-Christian. By non-Christian I refer to Jews, Mahommedans and others. The non-Catholics are the wealthy classes. Those wealthy classes take the miserable dollar from the Catholics and prevent them from having their schools. Then they turn around and say: 'Your education is no

good, your schools are no good '. Legalized robbery is the lowest, meanest way of stealing money, because the person robbed has no recourse. There is no process of law against legislative enactments, whereby officers of the government are authorized to collect money unfairly and unjustly from certain classes of the population. As far as education is concerned, our separate schools, as so ably and eloquently pointed out by the hon. gentleman from Grandville (Hon. Mr. Choquette) do not turn our ignoramuses or men unfit to earn their living in the world. Probably they produce men more honest than the other schools, because they are obliged to bring into their daily life the principle of obedience to the law of God.

That is what the separate schools do. What we want in our separate schools is not merely a half hour, or an hour, of teaching of the catechism, but we want the religious atmosphere of the Catholic faith. We want the children to understand that the law of the gospel must be obeyed from nine in the morning till four when they leave, and also in their homes and in their play. It is not necessary to have the children sitting in school under the catechism and answering questions; the sign of the finger is enough to make the child understand what he ought to do or ought not to do. It is not so much teaching catechism as it is having histories that will record facts and not fiction and fable. We want in our schools poetry that will not pollute the minds of the young maidens. We want in our schools the careful religious supervision that will prevent the young generation from practising the arts of race suicide. I say that advisedly. I know right here in the city of Ottawa there are parents who have been obliged to take their children, seventeen and eighteen years of age, from some of the biggest schools in Ottawa, on account of the immorality that exists there, because they are under no moral restraint. These are facts that confront society to-day. We do not want these things introduced into our schools and that is the reason we want control of our own schools, which we have and which we will hold. We are prepared to give the same control to other bodies, whether they be Christian or non-Christian. We do not object to the Jews having their own special schools. We insist on our rights to educate our children according to the laws of the Catholic faith. Let others do as they please, they will find out the results later on. Now, I ask the hon. leader of the House to see that his government plays the game fair and gives justice. His government is strong enough to be decent in a matter of that kind, strong enough to be fair, and strong enough to secure justice. We have no objection to the Bill on other grounds; we are glad that Manitoba is going to have an extension of territory. The Bill would go through without amendment and without discussion if it contained a clause stating that the rights now existing, civil or otherwise, in the territory of Keewatin will be maintained after the territory is annexed to Manitoba. If the government do not see fit to insert such a clause, what inference must we draw? It simply means that the present government wishes to destroy the existing rights, civil, educational and otherwise, by handing these people over to the Manitoba government, bound hand and foot. If that is the intention of the government, it is a dastardly one; a most contemptible one, and one that ought to be fought to the bitter end. I do not believe that is the intention of the government, but I will only believe it is not their intention when they introduce into this Bill a clause whereby the existing rights of the people of Keewatin shall be safeguarded and protected. Otherwise I shall brand the government as the most disreputable one in the history of Canada. They are giving away the rights of a free people and making them worse than the slaves in the days of Rome, bartering away their rights without consulting them. That is not the part of a strong government that desires to be fair and just. We are simply asking to have a two line clause stating that the existing rights of the people of Keewatin shall be safeguarded and protected after annexation. If the government refuse that, then there are a couple of ministers that ought to be beheaded to-night. The hon. senator from Grandville, (Hon. Mr. Choquette) pointed out, reading from ' Hansard,' that two of these ministers saved the life of the government on

the distinct, declared promise that if the twenty Nationalists of Quebec voted with the government that the rights of the people of Keewatin would be maintained, and, further, that they would make the amendment which we are asking for here. That is what the Minister of Public Works, Mr. Monk, and the Postmaster General, Mr. Pelletier, promised on the floor of the House. If that is the case, why not put it in black and white now, and not wait until we are dead and gone? Are the government going to remain in power under false pretenses? Surely not. I assure the leader of the government that all we ask is to have an amendment much less than two lines long such as was promised by these ministers from Quebec.

Now what hon. member is going to stand by transactions of that kind? Stand by a Bill which, though I do not like to use a harsh expression, the government seem to be trying to put through parliament as a thief would put his hand in the pocket of his neighbour to steal without being perceived, trying to get this Bill through and leaving the public under the impression that everything is going to be all right with the people of the Northwest Territories. Surely that is not a fair policy to follow; it is not a wise one; it is not a just one; and I say to the hon. leader of the government here to-day that the government is strong enough to stand up and do justice and give fair-play, and then have more credit for it, not only in Keewatin, but throughout the Dominion. There is not a fair-minded man in the country that would not give them credit for that, probably more than they would for their other policies. Now, hon. gentlemen, I have given my views on this matter, on the Bill itself, and I have had to allude to the school question as far as Manitoba is concerned, because the Bill, as it stands, hands these people over, as I say, to the tender mercies of the Manitoba legislature, government and majority. We all know—at least we do not all know for history has not yet written it, but it will be written—the origin of that contest, by, through and under which Manitoba brought about its present system of schools. There are not many in the country who know and appreciate that contest. It began in 1889—under a Liberal government at that, too, which is the worst part of it. In 1889 the Liberal party had come out of the province of Quebec with a notable victory; not a large majority, for we won by five. We had been long in opposition, and long under the heel of the bishops and the clergy in that province. We had been denounced between 30 and 40 years from every pulpit and every altar throughout the province of Quebec as bad Catholics, as men who had no right to represent the people. When we won, and carried the province of Quebec in 1886, which was the first Liberal victory of any account in that province, though Mr. Joly had carried it for a year and a half in 1878, the Liberal party started to undo the reputation it had with the clergy. We used our influence and our power to prevent them from denouncing us as unworthy of public confidence and as enemies of the church.

In 1888 or 1889, Greenway came into power, and he had in his cabinet a colleague named Joseph Martin. He started an agitation for the abolition of separate schools. Mr. Sifton, in his own office, told me he was opposed to Martin's Bill. Mr. Greenway was also opposed to it, and the mayor of Brandon, which was at that time a seething mass of Orangemen, where a priest or nun dare not go out on the streets even in open daylight, was not in favour of the measure. I was there at the time. The torch was lit, a pile of Catholic school books were burned and Martin succeeded in having his legislation passed in spite of the goodwill of the best people in that province. However, we have nothing to do with that ancient history when dealing with this measure, as the hon. gentleman from St. Boniface tried to make us believe we had.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. CLORAN—I simply mention it to contradict the statement, and later on I will try to prove that he was the initial cause of the trouble in Manitoba, and it will not be difficult of proof. I can assure the hon. leader of the government that we are not hostile to the Bill as far as it goes. All that we ask is the insertion of a provi-

so for the protection of a people who have no defenders, in a territory which is without representation, and not expose them to the danger of being trampled on by a foreign province and foreign people.

Hon. Mr. DAVIS—I desire to shortly explain the reasons for my vote on this measure. Since I spoke the other evening an amendment, and an amendment to the amendment have been moved in this House. In the first place, I was very much surprised at the hon. gentleman from St. Boniface (Hon. Mr. Lariviére). He seemed to be skating on mighty thin ice for a gentleman of his proportions. I could not ascertain whether he was in favour of separate schools or against them. He told us that the people he represents have a grievance, still he would vote for the Bill. Although my hon. friend made a speech today, I do not think he represents the opinion of his co-religionists in the western provinces, and I do not think that Mr. Bernier who spoke the other day, represents the views of the people of Manitoba. Another gentleman took issue with reference to the schools of Saskatchewan and Alberta. He made the statement that there were no such things as separate schools in those provinces. I desire to draw attention to the fact that a few days ago some 1,300 Roman Catholics, of different nationalities met in the city of Winnipeg and passed certain resolutions, a copy of which I have in my hands. I should like to know whether these people are right or whether Mr. Bernier, who spoke in the legislature, is right in his statement. I will read portions of these resolutions. One reads as follows:

> In 1905, in the formation of the two new provinces of Alberta and Saskatchewan, the Dominion parliament embodied in the constitution of these provinces the principle of separate schools, as provided by the Northwest Territories Act of 1875.

Further on the resolution says:

> Whereas the province of Manitoba has been for years urging its claim on the government of the Dominion for equality of treatment with the other provinces of the Dominion and particularly with the provinces of Alberta and Saskatchewan, &c. . . .
>
> We demand at least equal rights with our co-religionists in the provinces of Alberta and Saskatchewan.

I think that ought to satisfy my hon. friend that he is wrong, because surely the people who are living in Manitoba know the system of schools that is in force.

Hon. Mr. LARIVIERE—Does the hon. gentleman say that I made the statement that there were no separate schools?

Hon. Mr. DAVIS—No, it was another gentleman who took exception to this proposition. I am in favour of this amendment and opposed to the Bill. I oppose the Bill for three reasons: First I am opposed to it on account of the manner in which Saskatchewan was treated in connection with this negotiation. I think I have proved to the House—and it is in the 'Debates'—that certain correspondence took place between the government of Saskatchewan and the government of the day at Ottawa with reference to this matter, and many letters were passed. I find that the Prime Minister, in one of his letters, led the people of Saskatchewan or the government of Saskatchewan to understand there were to be no negotiations at all this year; that the cabinet here had to face a number of propositions and problems, and it would be impossible to take up so important a question this session. But, a little while after that, we find that the minister from the province of Manitoba is invited down here, and the minister from the province of Ontario is also invited here, and they met together and divided up the Keewatin territory, without considering the rights of the people in the province in which I live. For that reason I am opposed to the Bill. Again I am opposed to the Bill because they have not taken into consideration the wishes of the people of that territory. There is a large population in Keewatin who had a right to be represented in any conference held between the Dominion government and the government of Manitoba. Those people did not ask Manitoba to take them in, and they did not want to be taken in. They asked, by petition, to be taken into Saskatchewan. As they were being forced into Manitoba, surely it was not too much for them to ask that they should have a representative at this conference to see that fair-play was meted out to them in any arrangement that was to be arrived at. The

financial terms of the Bill do not satisfy a great many people in Manitoba as I think my hon. friend from Portage la Prairie (Hon. Mr. Watson) suggested the other evening. Take it all through, the Bill is a bad measure. I do not see anything wrong with the amendment moved by the hon. gentleman from Grandville. All it asks for is delay. What is the haste about this matter? It has been under consideration for years, and if it were postponed until next session no interest would suffer. We wish to bring about a state of good feeling in this country. We have people of different races, and religions, and if we can do anything that will conciliate and bring the people together, I am sure it would be well worth waiting for six months to attain so desirable an object. We have the fact that 1,300 of those people consider they have a grievance. Would it not be better to let the leaders of the party see if some arrangement cannot be arrived at. They are told to trust Mr. Roblin. Why should they be asked to trust him? If he intends to do anything, if he has promised to do anything, why can he not come out of the bush and say: 'I am going to do so-and so?' Then we will know where we stand. Why all this secrecy? What my hon. friend asks for in his resolution is not unreasonable. I would not have worded the amendment in the same way if I were moving it from the standpoint of Saskatchewan. I would have suggested that the Bill be laid over for six months until we could approach the government and be permitted to take part in the conference. These people, we believe, were ignored, and were not treated with courtesy. For these reasons I do not intend to vote for the Bill.

Hon. Mr. LEGRIS—I did not suppose that the Manitoba school question would be introduced into this debate by means of an amendment and a sub-amendment, such as are now submitted. The amendment is in exactly the same terms as the one placed before the other House by Hon. Dr. Beland. I venture to say, there may have been some reason for placing such a motion before the House of Commons, where members are often obliged to take into account the susceptibility of some of their constituents—as all men in public life know—but I fail to see why it should be introduced here. It sometimes happens that men in active politics resort to strategy for the purpose of placing their opponents in an embarrassing situation, and in the present case the object may have been to keep certain members of parliament upon the horns of a dilemma. But such manœuvring seems to me to be out of place in the Senate. Few of those, I believe, who supported this motion in the House of Commons supposed that it could ever be carried. Had they really thought so, as does my friend the hon. member for Grandville, they would probably have refused to support any such proposition.

Hon. Mr. CHOQUETTE—I call the hon. gentleman to order. He has no right to impute motives to members of the other House, or of this House, or to say that they voted for a motion that they supposed would not be carried. That may be his own opinion, but I do not think he has a right to say that about any members.

Hon. Mr. LEGRIS—My hon. friend is utterly wrong. I imputed to him no motive at all.

The SPEAKER—The point of order is taken, and that point of order is open to discussion.

Hon. Mr. CHOQUETTE—But he is continuing his speech.

Hon. Mr. LEGRIS—I was saying that they would probably have refused to support such a proposition. Most of them, I presume, having voted quite sincerely—

Hon. Mr. CHOQUETTE—I rise to a point of order.

The SPEAKER—The point of order raised by the hon. gentleman is this: That the hon. member has no right to impute motives to persons who have voted for that motion in the other House.

Hon. Mr. CHOQUETTE—Yes.

Hon. Mr. LEGRIS—Well, on this point, Mr. Speaker, I have to say that I impute no motive at all, neither to my friend, nor to any other member, and he is utterly wrong in supposing that I do.

Hon. Mr. CHOQUETTE—Well, withdraw what you said, then.

Hon. Mr. LEGRIS—I have nothing to withdraw.

Some hon. MEMBERS—Go on.

Hon. Mr. LEGRIS—I presume most of them voted quite sincerely and honestly when they approved of the Laurier-Greenway settlement fifteen years ago. And we stand by it since that time. I am convinced that they, like myself, were sincere in defending the settlement at each subsequent general election and every time when occasion offered.

It appears to me that to adopt the motion now before the Senate, asking that negotiations be re-opened between the Dominion government and that of Manitoba, would be equivalent to declaring that the settlement of the school question agreed upon in 1897 should be replaced by some other settlement, and to this I cannot agree.

I believed then, and I still believe, that the settlement of 1897 was the very best that could have been made under the circumstances. No other government than that of Sir Wilfrid Laurier, I honestly believe, could have done better—I doubt if any could have done as well.

Hon. Mr. DERBYSHIRE—Hear, hear.

Hon. Mr. LEGRIS—I also believe that were the Liberal party in power to-day, and the very same Bill before the Senate, my hon. friend from Grandville (Hon. Mr. Choquette), and for Mille Iles (Hon. Mr. David) would not have submitted their amendments any more than those who supported the same amendment in the House of Commons would have done had the Bill been brought down by a Liberal government.

Hon. Mr. CHOQUETTE—I call the hon. member to order. He may give his own opinion, but he has no right to say that we are doing this just for a political purpose—either my amendment or that of the member for Mille Iles (Hon. Mr. David). I call upon you, Mr. Speaker, to ask him to withdraw what he has said, not only for myself but for every member of the House.

Hon. Mr. POWER—Honestly, I do not think that the hon. gentleman who was addressing the House was out of order. He did not attribute any improper motives; he simply said that if the hon. gentlemen were on the other side of the House, perhaps their views would be different. I am disposed to agree with him.

Hon. Mr. CHOQUETTE—No; the hon. gentleman said if the Liberal party were in power. He said that I moved that resolution because, as a partisan, I would not take the same position about the legality of the question, but I would have acted as a Liberal member only. He has no right to say that. I ask your ruling on that, Mr. Speaker.

Hon. Mr. POWER—It is a free country, and this is a free House.

Hon. Mr. LEGRIS—I think, Mr. Speaker, that on the point of order my hon. friend is the only member in this House to see the matter in that way.

Hon. Mr. CHOQUETTE—Because you named me.

Hon. Mr. LEGRIS—I am not imputing motives to the hon. gentleman. We have had enough of his speeches to know what he means, but I have the right to state in this House what I think, and I have a right to remember what we did in the past.

Hon. Sir MACKENZIE BOWELL—Hear, hear.

Hon. Mr. LEGRIS—If my hon. friend cannot understand that I am right, Mr. Speaker, I await your ruling.

Hon. Mr. CHOQUETTE—Mr. Speaker, I raised that point of order because he said that I myself——

Hon. Mr. LEGRIS—He has spoken three times on the point of order. He must have enough.

Hon. Mr. CHOQUETTE—I have a right to say this; I raised the point of order because the member said, confining it to myself, that I moved that amendment because the Liberal party is not in power—so imputing motives of partisanship, if nothing

else. He may feel that way; that is his own affair; but I protest against his imputing motives to other members and to me.

The SPEAKER—What I understood the hon. member who has just closed to say is this: It was merely an argument, he was supposing that if things were altogether different from what they are now, that such a thing might happen; but he does not say—I did not hear him say—that what took place was on account of that change.

Hon. Mr. LEGRIS—I should like to know if my hon. friend has another speech to make on the point of order? Questions of education and schools, belong to the provinces, and they cannot work satisfactorily or constitutionally otherwise than under the authority of the legislature of each province.

My hon. friend from Provencher (Hon. Mr. LaRiviere) has stated this afternoon that he is willing to wait; so am I. I agree with him.

Consequently I shall vote against both the amendment and the sub-amendment. I find nothing commendable in either of them.

I have very little more to say to-day concerning these amendments submitted by my hon. friends, except this: Does not the hon. gentlemen think that the representatives of the province of Quebec, who have been giving so much attention to the schools of Manitoba and Keewatin, might more usefully apply their critical powers and energies to the schools of their own province, where the system of primary education appears to be very far from perfect? As I have said, I am not prepared at present, neither is it the proper time to enter into any details on this subject, but, it strikes me that whereas in the district of Keewatin, there are very few people, so few in fact that in most places it would be impossible to establish now, and for years to come, any school at all, in certain portions of Quebec, as for example, in the upper part of the St. Maurice river, also the Gatineau regions, there exists a really large poulation, yet no attempt whatever is being made, nor has any ever been made that I know of, to establish schools there. The children seem to be growing-up quite uneducated. I am informed that the same condition of things exists more or less throughout the northwestern portion of Quebec, and in many other regions of the province as well. Unfortunately, there can be little question as to the condition of the people of the province of Quebec in respect to education. Does it not occur to hon. gentlemen that if the province of Quebec showed better results as to schools and education generally, her representatives would be in a position to speak with greater authority when they demand as a constitutional right the establishment in western Canada of the school system obtaining in their own province.

Hon. Mr. CHOQUETTE—I have very few comments to make on what has been said by the hon. member who has taken his seat (Hon. Mr. Legris), who is not well able to discuss the school question of his own province. I am not surprised at what he has said about the question before us. He has a right to change his mind, but he has no right to impute motives to any members of this House or of the other House, for the stand they take on the subject. I am sorry that the hon. gentleman has not referred to the amendment, it is evident he has not even read it; if he had he would not have said what he did. He said that if we voted for the amendment we would be condemning the settlement made by Sir Wilfrid Laurier some years ago. We do not refer to that settlement in the amendment. We do not refer to the schools of Manitoba. If my hon. friend, instead of throwing mud at the schools of his own province, had looked at the amendment he would have read in the last part of it that it is desired, by way of conference, to define in an amicable way the situation of the minority, either Catholic or Protestant, in relation to educational rights in the proposed annexed territory. We are now speaking about Keewatin. There is not a word in the amendment about the Manitoba schools or the Manitoba settlement. My hon. friend has spoken outside of the question and has brought in a matter that is not

referred to at all. My hon. friend from Manitoba (Hon. Mr. Larivière) tried to throw some ridicule on those who came before this House with some preparation, quoting from the statutes and making legal arguments, as my hon. friend to my right (Hon. Mr. Belcourt) has done, and he referred to myself as repeating a speech that was made in the other House. He said he came into the House without any preparation, and nothing in his hand: I think nothing in his head either, on this important question. Looking at my hon. friend, I can quite understand that he must have swallowed a lot of stuff at different times, but I never thought he could have swallowed his principles, and the speech that he made in the House of Commons on this very question. He now says that he is satisfied to wait and that he will get justice. I also am willing to wait if justice will be secured to those for whom we are fighting. According to a resolution passed last week in Winnipeg, the people there are claiming the same rights that the Catholic minority have in Alberta and Saskatchewan. I would be quite satisfied with that. If we are going to have a settlement why not say what it is now, and satisfy everybody, in the interest of peace and harmony? My hon. friend says the question will be settled sooner than we expect. I hope it will be settled to-morrow, and then we shall be satisfied. Instead of keeping the agreement in their heads and trying to catch a few votes for the government of Manitoba by promising this and that, it seems to me it would be more fair if the government would state their intention before the Bill becomes law. My hon. friend from Mille Iles proposes another amendment, to suspend the Bill six or seven days. I have no objection to that amendment, and I will vote for it, though I think it would be better to leave the time in the hands of the government. I have been told that the Manitoba legislature is in session and they may make some compromise in a very few days, and my hon. friend from Mille Iles may be right in asking to suspend the Bill for a few days. I shall, therefore, vote for the sub-amendment, and if it is not carried, I will insist on my amendment.

Hon. Mr. POWER—I am not going to make a speech, but I wish to take the House into my confidence to a certain extent. I have been a good deal puzzled as to how I should vote at the present time. I am a strong believer in the fact that the Catholic people of Keewatin have rights, as the hon. gentleman, the junior senator from Ottawa (Hon. Mr. Belcourt) has said; and while he was making his speech I really felt very uncomfortable indeed. The hon. gentleman made as clear and convincing a case as well could be made from a legal standpoint. I do not think there is any doubt about his law, although that law happens to differ from the law of the Minister of Public Works, and that of the Postmaster General. I listened with a great deal of attention to the speech made by the hon. gentleman who sits beside me, the senior member from Ottawa (Hon. Sir Richard Scott) and to a certain etxent my mind was relieved when I found that that hon. gentleman, who had very strong feeling in connection with this subject of separate schools, after he had expressed these feelings in the clearest way, before he sat down declared his intention to vote against the amendment. That rather fortified me in the view I had been disposed to entertain. Having said that much, I should like to call the attention of the House to two or three points that I noted as we went along. I have already stated that I find myself in an awkward position. I wish to do the thing which is best for the country and best for my co-religionists in the Northwest Territorities, in Keewatin and Manitoba. I understand the population of Keewatin is not more than about one thousand. The Catholic population of Manitoba is over 50,000, I suppose. I would ask the hon. gentleman from St. Boniface if the Catholic population of Manitoba is not over 50,000?

Hon. Mr. LARIVIERE—25,000.

Hon. Mr. POWER—It is not as great as I thought it was. There are two or three points about this Bill that sufficient attention has not been paid to. The Bill does not profess to deal with schools. It is a

Bill to extend the boundaries of Manitoba, and to make some changes in the financial relations between Manitoba and the Dominion. I do not mean to say that the amendment moved by the hon. gentleman from Grandville (Hon. Mr. Choquette) is out of order, because I suppose one can just as well move against the Bill because it does not contain something as on account of anything it does contain. I have taken the liberty of stating that I do not agree with the Minister of Public Works or the Postmaster General, and I do agree most cordially, as a matter of law, with the hon. the junior member from Ottawa (Hon. Mr. Belcourt). Then comes the question, even though I think that the hon. gentleman from Ottawa has given us good law, am I bound as a matter of conscience, desiring to give the best vote I can, to vote for the amendment? Before one can answer that question, he has to look at the actual position. This is a question which has to be settled between the legislature of Manitoba and the government of Canada, and the question is, if by passing this amendment we will help to bring about a satisfactory arrangement. It seems to me it would have just the reverse effect. This amendment, although said to be for delay only for a few days, means a hanging up of the Bill for this session. We are now within a fortnight of prorogation, and every one knows that such negotiations do not move very rapidly. If either the amendment or the sub-amendment is passed, it means that the Bill will not go any further this session. Will the passing of this amendment help the cause of separate schools in Manitoba and Keewatin? I do not think it will. The effect of our holding up this important measure, a measure which is so important to the people of Manitoba, would be to irritate the people and the legislators of Manitoba and make them much less ready to enter into friendly arrangements with respect to this question. There is more or less a sort of crisis.

We must bear in mind that the gentlemen who are now members of the government, and their friends, during the late election campaign, and for years before that, proclaimed that if they came into power they would settle this Manitoba school question in such a manner as to remove the grievances of the Catholics of Manitoba. I do not say they all said that, but that was the ground taken by a great many of them. It seems to me it is better to give the government a chance to settle the matter. Why should the Senate, at a crisis like this, when we are perhaps within a few weeks of a settlement of this question, intervene and prevent the settlement? No one has given any reason why we should do that. I take it that this is the acceptable time. If the government of this country and the government of Manitoba get together while they are in sympathy over most things, I think it highly probable that they will be able to settle this question in such a way as to remove the grievances of the Catholic minority in Manitoba. Suppose the Senate break in and prevent the bringing about of that desirable result, what shall we think of ourselves? It would be exceedingly unwise, unstatesmanlike and impolitic to take any such action. We are not responsible just now. It is a question for the government, and we had better leave it with them. Why should we interfere between the government and the legislature of Manitoba? The government is doing something. We did something in 1897, but I honestly think there remains something to be done yet, particularly when Manitoba is to be enlarged; and I think this government should be allowed a free hand, just as the Laurier government was.

Hon. Mr. MACDONALD (British Columbia). I think the amendments now before the House are irrelevant to the Bill. Amendments must be germane to the measure and I submit to his hon. the Speaker that these amendments are not in order.

The SPEAKER—The main motion is for the second reading of the Bill. On a motion of that kind any member is permitted to move as an amendment a declaration of principle or anything of that kind.

Hon. Mr. FORGET—When the constitution of Manitoba was framed in 1887 a clause was introduced which, in the eyes

of the legislators of the time and of all those interested, was intended to protect the rights of the minority in the province of Manitoba, either Protestant or Roman Catholic. We know the result. Acts were passed by the province of Manitoba creating a system of schools, and from 1870 to 1890 the legislature of Manitoba succeeded in getting around that clause of the constitution of the province, and passed the Act with regard to education which is in force now. If that clause could not protect the Roman Catholic minority of Manitoba, I have come to the conclusion that no amendment, and no clause that could be introduced in the Act before us, would hold that province and secure the rights of the minority any better than the section in the provincial Act did. I believe any negotiation of the kind which is proposed after this Act was passed would amount to nothing. Therefore, it would be a loss of time. I shall vote against both amendments when they are presented.

Hon. Mr. WATSON—A great deal has been said during this discussion by the different speakers of the attitude of the Roblin government; in fact, the attitude of the Roblin government towards the Catholic minority is practically the subject of discussion. Suggestions have been made that the late Liberal government did not give the Catholic minority the treatment they should receive in the province of Manitoba. My hon. friend from St. Boniface (Hon. Mr. LaRiviere) referred to me, I suppose, because I was a member of the government at the time this arrangement was made between the federal and Manitoba governments. I want to make one point clear, and to place the Roblin government in the proper position. That government for years, to my mind, had been inducing the Catholic minority of the province of Manitoba to support them in local politics, and the hon. gentleman from St. Boniface, (Hon. Mr. LaRiviere) is aware that Roblin has had the solid vote of the Catholic minority, on the understanding that he was willing, if permitted by the federal authorities, to grant the relief which the Catholic minority of the province of Manitoba asked for. On the occasion of Sir Wilfrid Laurier's visit to the city of Winnipeg, on Monday, 5th of September, 1910, a large delegation was organized by Archbishop Langevin, and Father Coffey was entrusted by the Archbishop to head that deputation to interview Sir Wilfrid, and on that occasion the grievances of the minority were placed before him, particularly for the purpose of inducing him to discuss the situation with Mr. Roblin. As Father Coffey states, in this interview, he was assured by Mr. Roblin, that if Sir Wilfrid would pledge himself not to interfere with Mr. Roblin in changing the school law of Manitoba, that he would grant relief to the Catholic minority.

I will just read from a report of the interview that took place.

His Grace organized a deputation, which was composed of the parish priests of the nine city parishes, including the cathedral parish, with Rev. John Coffey, S.K. of St. Ignatius parish as spokesman, and a few lay members of each parish. Among the latter was Joseph Bernier M.P.P. for St. Boniface.

By the way, Mr. Bernier is the gentleman who delivered himself in the local House in Manitoba the other day, taking the same stand as was taken by hon. gentlemen in the other House, notably the Minister of Public Works, when he stated that he considered the Manitoba school question settled, and that the Catholics lost their opportunity when they refused to support Sir Charles Tupper on the Remedial Bill. The interview proceeds:

Father Coffey was the spokesman of the deputation having been charged with this responsibility, it is said, by Archbishop Langevin, before his departure for Montreal. Father Coffey addressing Sir Wilfrid said that the deputation had reason to believe that Hon. R. P. Roblin, Premier of Manitoba, was prepared to make substantial concessions to the Roman Cothalic minorities in the province of Manitoba, if assured of the sympathetic co-operation of the Dominion authorities, and he asked Sir Wilfrid to call upon Mr. Roblin and discuss the matter with him.

Sir Wilfrid Laurier replied that his information as to the inclination of Mr. Roblin in this matter differed from that of Father Coffey. He judged Mr. Roblin in this matter by his public actions, and statements, and he was well aware that, on a number of occasions within the last ten years, Mr. Roblin had made appeals to the electors in Manitoba

to oppose that bad man, Sir Wilfrid Laurier, on the ground that he was seeking to force separate schools upon the province of Manitoba. He did not, for these reasons, think that Mr. Roblin had any desire or intention of extending the educational privileges of the minority. If, however, Mr. Roblin wishes to discuss the matter with him, he would be very willing to see him, either in Winnipeg, on the occasion of his present visit, or at Ottawa.

Father Coffey than asked Sir Wilfrid if he would put any difficulties or obstacles in the way of the Roblin government if it sought to relieve the educational situation in Manitoba, so far as it affected the minority.

Sir Wilfrid Laurier replied that, under the circumstances he would do nothing to embarrass the Roblin government. His policy, Sir Wilfrid said, was well known to be one of conciliation, and, for his part, he would be glad to see the minorities, everywhere in Canada, treated with the greatest amount of generosity by the majorities.

There was some further interchange of opinion between Sir Wilfrid Laurier, and Father Coffey on the question, and the proceedings then terminated, Sir Wilfrid leaving the hall and proceeding to government House to call upon the Lieutenant Governor.

It is understood that Sir Wilfrid's clear-cut and emphatic statements created a decided sensation, and that his departure from the hall was followed by lively interchange of views by members of the deputation, in which Sir Wilfrid was both assailed and defended.

The episode was the chief subject of discussion in Catholic circles in the city last night, as is likely to be for some days to come.

Now I have no doubt that the last two paragraphs are perfectly correct because, as I stated in this House a few days ago, the Roblin government had been, as I would say, jollying the Catholic minority in the province of Manitoba as to what they would do if this bad man Laurier would allow them to do it, but that he stood in the way. Now if Mr. Roblin was sincere in his statement, and the statements he has made for years,—and I presume my hon. friend from St. Boniface knows more than I do of those promises and good intentions that Roblin has expressed to the Catholic minority,—then Roblin has a free hand. He had a free hand all the time, as was expressed by Sir Wilfrid Laurier. There is no question about it that Mr. Roblin can give to the Catholic minority in the province of Manitoba any privileges he sees fit in his legislature without consulting Ottawa at all; and I fully agree with the hon. member from Halifax, who has just stated that it is an inopportune time to bring this matter up. The school question should not be discussed in this legislation at all, so far as the Senate and House of Commons are concerned; we have nothing to do with educational matters in the province of Manitoba. That should be clear-cut and settled, and so far as Sir Wilfrid Laurier is concerned, he stated that he wished that they should have a settlement; that it was entirely in Mr. Roblin's hands; and the Catholic minority was so informed. So far from Sir Wilfrid Laurier making a football of this matter, he has not done so. I think the delegation in Winnipeg came to that conclusion two years ago, and now it is up to Mr. Roblin, the gentleman who professes to be a friend of the minority in that province, to do such justice as he may see fit, or as his political friends of the Catholic faith feel that he is pledged and bound to give them. I thought it well to put this interview on the records of the House.

Hon. Mr. BEIQUE—I had intended to defer the remarks I proposed to make on this Bill until after the vote had been taken on this sub-amendment, but, on further considering the question, I think it is well that I should place myself before this House as I intend to do on the present issue. I propose to confine myself to appreciating the position in the usual way. I do not propose to be carried away by any political consideration, and one of the main objects I have in view is to try to determine what the rights of the Catholic minority are in the province of Manitoba as well as in the new territory In the interests of that minority it is well that they exactly understand their rights, and that those rights are not exaggerated, because if they are exaggerated they will be claiming more than they are entitled to receive, and they may antagonize the party from whom they are expecting to receive justice. In order to do so one has to make a summary review of the school question in the province of Manitoba. I propose to do so as briefly as possible, but it is necessary at the outset that I call attention to section 22 of the Manitoba Act. The terms are well known, and I cite them merely for the purpose of constituting a foundation in my remarks for those who may do me the honour of reading them. Section 22 says:

22. In and for the said province, the said legislature may exclusively make laws in relation to education, subject and according to the following provisions:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have, by law or practice, in the province at the union.

2. An appeal shall lie to the Governor General in Council from any act or decision of the legislature of the province, or of any provincial authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

Then follows the third paragraph:

3. In case any such provincial law, as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section, is not made, or in case any decision of the Governor General in Council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then, and in every such case, and as far only as the circumstances of each case require, the parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor General in Council under this section.

Then a remedial Bill may come in. You will notice that under this provision, as contained in section 22, which is practically a copy of section 93 of the British North America Act, except the provisions in that section which apply exclusively to Ontario and Quebec, that there are two rights which are intended to be preserved. The first by subsection 1, which are the rights or privileges belonging to the minority, Catholic or Protestant, at the time of the union in 1870, when the Act was passed. The second right, which is covered by subsection 2, is not any right existing at the union, but rights which may be acquired subsequent to the union by reason of legislation on education being passed by the legislature. In other words, although in Manitoba the minority might not have had any rights at the time of the union, if the legislature of Manitoba deemed it proper to legislate on education and to grant rights to the minority, or establish a system of separate schools, in virtue of this section 22, it had the character of constitutional legislation which could not be removed by the legislature except subject to appeal to the Governor General in Council. Now, let us see what was the application by the Privy Council of this section 22. It is well known that after the union, that is, subsequently to 1870, an Act was passed in 1871 in regard to education. Under that Act separate schools were established. That Act was further amended until 1881, and always in the same sense establishing a complete system of separate schools practically as we have it in the province of Quebec. But in 1890 those Acts were repealed, the separate schools were abolished, and the Catholic minority was taxed for the purpose of paying for or maintaining public schools.

It was then that one Barrett, a Catholic, in one case, and one Logan, a member of the English Church in another, took an appeal for the purpose of asking that the by-law, which had been passed for the purpose of levying these taxes, be quashed. Barrett succeeded in the Supreme Court, and Logan succeeded in the Queens' Bench of Manitoba. Both judgments were reversed in the Privy Council, on the ground that the Act of 1890 was constitutional and was a valid Act. In other words, it was in the power of the legislature of Manitoba to repeal the Act of 1871, because at the time of the union there was no acquired right in favour of the minority to separate schools. I have only to quote a very short portion of the judgment of the Privy Council as rendered in the Barrett and Logan cases. Their Lordships first approached the question of the meaning of the word 'by practice' which had been introduced in section 22 of the Manitoba Act, and which was not in section 93 of the British North America Act, and they said:

It is not perhaps very easy to find precisely the meaning of such an expression as 'having a right or privilege by practice.' But the object of the enactment is tolerably clear. Evidently the word 'practice' is not to be construed as equivalent to 'custom having the force of the law.' Their lordships are convinced that it must have been the intention of the legislature to preserve every legal right or privilege, and every benefit or advantage in the nature of a right or privilege, with respect to denominational schools which any class of persons practically enjoyed at the time of the union. What, then, was the state of things when Manitoba was admitted to the union? On this point there is no dispute. It is agreed that there was no law, or regulation, or ordinance with respect to education in force at that time. There were, therefore, no rights or privileges with respect to denominational schools existing by law.

Then they go further:

Now, if the state of things which the archbishop describes as existing before the union had been a system established by law, what would have been the rights and privileges of the Roman Catholics with respect to separate schools? They would have had by law the right to establish schools at their own expense, to maintain their schools by school fees or voluntary contributions, and to conduct them in accordance with their own religious tenets. Every other religious body which was engaged in a similar work at the time of the union would have had precisely the same right with respect to their denominational schools. Possibly this right, if it had been defined or recognized by positive enactments, might have had attached to it as the necessary or appropriate incident, the right of exemption from any contribution under any circumstances to schools of a different denomination. But in their lordships' opinion it would be going much too far to hold that the establishment of a national system of education upon an unsectarian basis is so inconsistent with the rights to set up and maintain denominational schools that the two things cannot exist together, or that the existence of one necessarily implies or involves immunity from taxation for the purposes of the other.

It will be seen that this judgment proceeded on the ground that, although schools had existed before, they were schools which were maintained at the time by the different religious denominations, and so far the question had not arisen as to any system of taxation, whereby the amount of taxes would be devoted only to the Catholic schools if the taxes were levied on a Catholic, or to the schools of the Anglican denomination, if the taxes were levied on members of that denomination. Their Lordships came to the conclusion that as things had been in operation up to that time no rights had been acquired. It was stated by the hon. the senior member for Ottawa (Hon. Sir Richard Scott), that this judgment did not really settle the question. One must take issue with that statement. One may differ with the holdings of the Privy Council. It is the right of everybody to criticise the judgment of the highest court, but we are bound by it. This country is bound by the judgment of the Privy Council, and it cannot be suggested that the question can be re-opened. I must say that, on considering the question and giving it some attention, I have come to the conclusion that not only the judgment has been rendered in that way, but it has been supported by the judgment rendered in 1895 in the Brophy case as I will show in a moment.

It was therefore, established by the highest tribunal that although there existed a system of schools which was in operation in 1870, under which the Catholic schools were supported by Catholics, and schools of different Protestant denominations supported by their members, that this did not give an acquired right to the maintainence of these schools, and did not prevent the legislature of Manitoba from establishing public schools and calling upon Catholics as well as Protestants to maintain them. One has to apply that judgment to the condition of the territories to be annexed to the province of Manitoba, and one has to inquire, in applying that judgment, how it will act in regard to the new territory which is to form part of the province of Manitoba. I desire to call attention to my understanding of the effect of this Bill, if it passes in its present form. I think it will be admitted that the moment the new territory is annexed to Manitoba, the law of Manitoba will extend to the new territory, and that, therefore, the new territory will occupy the same position exactly as the province of Manitoba at present constituted, and that they will be entitled to the same privilege and will be affected by the same disability as the present minority in Manitoba. Let us ask further what will be the effect if the Bill is amended, for instance as was suggested by the Mondou amendment. That amendment is to be found at page 4934 of 'Hansard,' and reads as follows:

That Bill (No. 115) be not now read a third time, but be referred back to the Committee of the Whole House in order that the following clause be inserted therein, after clause 7 of the said Bill:—

7a. Section 22 of the Manitoba Act, 1870, 33 Vic., chapter 3, shall apply to the territory added to the province under the provisions of this Act, with the substitution for paragraph 1 of said section 22, of the following paragraph:—

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational or separate schools, which any class or persons have, at the date of the passing of this Act, by law or practice, in the territory added to the province under the provisions of this Act.

Hon. gentlemen will notice that, whereas if the Bill passes in its present form the

minority in the added territories will be governed by the rights of the present inhabitants of the province, it was sought by this amendment to establish a right to denominational schools at the time of the passing of this Act, and I will show in a few minutes the great difference that would have been made. But let me say at this juncture that I quite agree with the law, as mentioned by the hon. member from Ottawa this afternoon, that under section 10 of chapter 62 of the Revised Statutes, the territory in question is practically governed by the provisions of the Act of 1875, which was almost in the same wording, incorporated in the Revised Statutes in chapter 62, section 10. I do not quite agree with the hon. gentleman from Ottawa that that Act has the effect of giving vested rights to the inhabitants of the territory in question.

Hon. Mr. BELCOURT—My hon. friend is not doing my argument justice. I did not use the words 'vested rights.'

Hon. Mr. BEIQUE—I must retract that expression, because the hon. gentleman did not use it. He said: 'Rights in posse.' But rights in posse and vested rights are quite a different thing. The rights which they possess have not come into existence, and are conditional upon a state of things which has not yet taken place. These rights, under the wording of the statute, are that they are to be entitled to separate schools if certain things are done, if a commissioner is appointed, and if other conditions take place. But these conditions not having yet taken place, these rights have not come into existence, and, more than that, I claim that chapter 62 of the Revised Statues is not a constitutional law. It is a law that is governed by section 18 of the Interpretation Act, as contained in the Revised Statues, that every Act shall be so construed as to reserve to parliament the power of repealing, amending, revoking or restricting any power or advantage thereby vested or granted to any person whenever such repeal or revocation is deemed by parliament to be required for the public good. I claim it is not a vested right: not only is it not a vested right which can come into operation, but it is not a vested right which could, in law, be the foundation of any claim on the part of the minority, and my appreciation of the Mondou amendment would be that it would have placed the minority in a very inferior position to that which they will occupy if the Bill is passed in its present form. If that amendment were adopted, it would mean that they could claim no other rights but the rights which they actually possess at the time of the passing of the Act. They would be deprived of any rights which the minority of the province of Manitoba may have possessed, whether moral or otherwise, at the time of the union, and of any rights which they may have acquired subsequently to the union, by reason of the legislation which has been passed in Manitoba, and therefore they would not participate in any shape or form in the rights which have been secured by legislation of Manitoba. Their rights would be confined to such rights as they could claim under section 10 of chapter 62 of the revised statutes, and as existing at the present time. Now, will it be claimed that the conditions of those inhabitants who have had so far, I understand, a school or two supported by themselves in a country which was not under any system of taxation, a stronger position, or even a position as strong as the minority in Manitoba occupied in 1870? Evidently not, and therefore, to my mind, there can be no doubt that they would not be able to make any claim which would commend itself to any court of justice.

Now let me refer to the judgment of the Privy Council in the Brophy case, as found in the law reports, 1895, page 215. Here is their appreciation of the judgment in the Barrett case. The judgment was referred to by the Lord Chancellor in the Barrett case:

> So the sole question raised was whether the public schools Act of 1890 prejudicially affected any right or privilege which the Roman Catholics by-law or practice had in the province at the union. Their Lordships arrived at the conclusion that this question must be answered in the negative. The only right or privilege which the Roman Catholics then possessed, either by law or in practice, was the right or privilege of establishing and maintaining for the use of members of their own church such schools as they please. It

appeared to their Lordships that this right or privilege remained untouched and therefore could not be said to be affected by the legislation of 1890. It was not doubted that the object of the first subsection. . . .

I call special attention to this part:

It was not doubted that the object of the first section of subsection 22 was to afford protection to denominational schools or that it was proper to have regard to the intent of the legislature and the surrounding circumstances in interpreting the enactment. But the question which had to be determined was the true construction of the language used. The function of a tribunal is limited to construeing the words employed, it is not justified in forming into them a meaning which they cannot reasonably bear. Its duty is to interpret not to enact. It is true that the construction put by this board upon the first subsection, reduced within very narrow limits the protection by that subsection in respect of denominational schools. It may be that those who were acting on behalf of the Roman Catholic community in Manitoba and those who either framed or assented to the wording of that enactment were under the impression that the scope was wider and that it afforded protection greater than their Lordships held to be the case but such consideration cannot properly influence the judgment of those who have judiciously to interpret a statute. The question is not what may be supposed to have been intended but what has been said. More complete effect might in some cases be given to the intention of the legislature if violence were done to the language in which their legislation has taken shape; but such a course would on the whole be quite as likely to defeat as to further the object which was in view. Whilst however, it is necessary to resist any temptation to deviate from sound rules of construction in the hope of more completely satisfying the intent of the legislature it is quite legitimate where more than one construction of the statute is possible, to select that one which will best carry out what appears from the general scope of the legislation and the surrounding circumstances to have been its intention.

I see there, I think, an admission on the part of their Lordships that they were satisfied that the intention of the framers of section 22 of the Manitoba Act, had been to protect the rights of the minorities to separate schools, but on account of the wording that had been used, they could not go to that extent, and they had to comply strictly with the wording. I have called attention to that for this purpose: although we had to submit to the judgment which had been pronounced upon the text of section 22 of the Manitoba Act, which had the effect of depriving the minority in Manitoba of their rights to separate schools, at that time, I say without any hesitation, and I appeal to all fair-minded men, that that minority in Manitoba have the strongest moral claim to their separate schools, not only because as was admitted in that judgment, it was very likely the intention of the framers of the Manitoba Act, but also because it was a part of the Bill of rights which had been promised by the Dominion government to the people of the Red River valley, when the Red River valley was brought into confederation. Although it was not a legal right, and has so been held, I say it is a right which maintains its value and entitles that minority to urge again and again upon the legislature of Manitoba, and to claim as a right to which they are entitled, an amendment to the legislation of that province. I add that any amendment which would define the rights of the territory to be annexed as being confined to the rights which are now possessed by the inhabitants of that territory would have the effect of excluding them from the benefit of the moral claim to which I have called attention. It would have the effect of excluding them from the benefit to be derived from the legislation which was passed by the province of Manitoba in regard to legislation in 1871 to 1881. It is well known, as I have already stated, that in that legislation separate schools were created practically as we have them in the province of Quebec. Each denomination supported its own school, and was taxed only for its own school, and they could not be taxed for any other school. The question raised in the Brophy case, was as to the effect of that legislation, and the last judgment in the Privy Council to which I referred held that the Act in 1890 had been passed in violation of the rights acquired by the minority, by virtue of the legislation on education from 1871 to 1881. The Privy Council held that the minority was entitled to a remedial order. I cite from page 224:

The Manitoba School Act of 1871 provided for a board of education of not less than 10 nor more than 14 members, of whom one-half were to be Protestants and the other half Catholics. The two sections of the board

might meet at any time separately. Each section was to choose a chairman and to have under its control and management the discipline of the schools of the section. One of the Protestant members was to be appointed superintendent of the Protestant schools and one of the Catholic members superintendent of the Catholic schools, and these two were to be joint secretaries of the board, which was to select the books to be used in the schools, except those having reference to religion or morals, which were to be prescribed by the sections respectively. The legislative grant for common school education was to be appropriated, one moiety to support the Protestant, the other moiety the Catholic schools. Certain districts in which the population was mainly Catholic were to be considered Catholic school districts, and certain other districts where the population was mainly Protestant were to be considered Protestant school districts. Every year a meeting of the male inhabitants of each district summoned by the superintendent of the section to which the district belonged, was to appoint trustees and to decide whether their contributions to the support of the school were to be raised by subscription, by the collection of a rate per scholar, or by assessment on the property of the district. They might also decide to erect a school house and that the cost of it should be raised by assessment. In case the father or guardian of a school child was a Protestant in a Catholic district, or vice versa, he might send the child to the school of the nearest district of the other section, and in each case he contributed to the school the child attended a sum equal to what he would have been bound to pay if he had belonged to that district, he was exempt from payment to the school of the district in which he lived.

Acts amending the educational law in some respects were passed in subsequent years, but it is not necessary to refer to them as in 1881 the Act of 1871 and the amending Acts were repealed. The Manitoba School Act of 1881 followed the same general lines as that of 1871.

The scheme embodied in this Act was modified in some of its details by later Acts of the legislature, but they did not affect in substance the main features to which attention has been called. While traces of the increase of the Protestant relatively to the Catholic population may be seen in the course which legislation took, the position of the Catholic and Protestant portions of the community in relation to education was not substantially altered, though the state aid which at the outset was divided equally between them had, of course, to be adjusted and made proportionate to the school population which each supplied.

The sole question to be determined is whether a right or privilege which the Roman Catholic minority previously enjoyed had been affected by the legislation of 1890. Their lordships are unable to see how this question can receive any but an affirmative answer.

These schools receive their proportionate share of the money contributed for school purposes out of the general taxation of the province, and the money raised for these purposes by local assessment was, as far as it fell upon Catholics, applied only towards the support of Catholic schools. What is the position of the Roman Catholic minority under the Act of 1890? Schools of their own denomination conducted according to their views will receive no aid from the state.

They go on to show the grievance caused to the minority by the passing of this Act, and it is by virtue of that judgment that the minority were entitled to a remedial order. We know that the government of that time presented a draft Remedial Bill. I have my own opinion as to the effect of that Remedial Bill. In the state of mind which existed at that time in Manitoba that Remedial Bill could not have been properly applied. It would not have been received and would not have been obeyed by the people. The only way to deal with the question was, as was done at that time, by way of compromise. The Canadian government, after calling upon Manitoba to remedy the grievance, that the Catholic minority of the province had, effected a settlement with the government of the province. That, to my mind, was as far as the legislation up to that day was concerned, a settlement which satisfied the requirements of the constitution. That settlement is to be found in the Statutes of Manitoba for 1897, chapter, 26: as follows:—

1. Religious teaching to be conducted as herinafter provided shall take place in any public school in Manitoba;

(a) If authorized by a resolution passed by a majority of the school trustees in the district in which the school is carried on, or,

(b) If a petition be presented to said school trustees asking for religious teaching and signed by the parents or guardians of at least ten children attending the school in the case of a rural school district, or by the parents or guardians of at least twenty five children attending the school in the case of a city, town or village school.

2. Such religious teaching shall take place between the hours of 3.30 and 4 o'clock in the afternoon, and shall be conducted by any Christian clergyman whose charge includes any portion of the school district, or by any person duly authorized by such clergyman, or by a teacher when so authorized.

3. Where so specified in such resolution of trustees, where so required by a petition of parents or guardians, religious teaching during the prescribed period may take place only on certain specified days of the week instead of on every teaching day.

4. In any school in towns and cities, where the average attendance of Roman Catholic

children is forty or upwards, and in villages and rural districts, where the average attendance of such children is twenty-five or upwards, the trustees, shall, if required by a petition of parents or guardians of such number of Roman Catholic children, respectively employ at least one duly certificated Roman Catholic teacher in such school. In any school in towns and cities where the average attendance of non-Roman Catholic children is forty or upwards, and in villages and rural districts where the average attendance of such children is twenty-five and upwards, the trustee shall, if required by the petition of parents or guardians of such children, employ at least one duly certificated non-Roman Catholic teacher.

5. Where religious teaching is required to be carried on in any school in pursuance of the foregoing provisions and there are Roman Catholic children attending the school, and the school room accommodation does not permit of the pupils being placed in separate rooms for the purpose of religious teaching provision shall be made by the regulations of the department of education (which regulation the board of school trustees shall observe) whereby their time allotted for religious teaching shall be divided in such way that the religious teaching of Roman Catholic children shall be carried on during the prescribed period. And one-half of the teaching days in each month, and the religious teaching of the non-Roman Catholic children shall be carried on during the prescribed period of one-half of the teaching days of each month.

6. The Department of Education shall have power to make regulations not inconsistent with the priniples of this Act for carrying into effect the provision of this Act.

7. No separation of pupils by religious denominations shall take place during the secular work.

8. Where the school room accommodation at the disposal of the trustees permits, instead of allotting different days of the week to different denominations for the purpose of religious teaching, the pupils may be separated when the hour for religious teaching arrives, and placed in separate rooms.

9. No pupil shall be permitted to be present at any religious teaching unless the parents or guardians of such pupils desire it. In case the parents or guardians do not desire the attendance of the public during such religious teaching, then such people shall be dismissed before the religious exercises are begun, or shall remain in another room.

10. When ten of the pupils in any school, speak the French language, or any language other than English, as their native language, the teaching of such pupils shall be conducted in French, or such other language, and English upon the bi-lingual system.

Although it did not accord to the minority the full measure of the rights claimed by the motion, and to which they were entitled by the judgment of the Privy Council rendered in 1895 in the Brophy case very substantial concessions were made. It has always been claimed, and I think rightly, that under that settlement the question was settled. It was legally settled but the moral claim remained all the same and it was admitted by all parties concerned, and always conceded—by Sir Wilfrid Laurier as well as other members of the Liberal party—that it was not the full measure of relief to which the minority was entitled at the time, and that it was accepted as a compromise, and the hope was all the time expressed that when public opinion was in a better mood to deal with the question, a further measure of relief would be given.

Hon. Mr. LARIVIERE—Was there not part of that settlement stating that this was the finality of the whole thing?

Hon. Mr. BEIQUE—The settlement was announced in the speech from the Throne by the Canadian government, and it was stated that it was a settlement of the case; but it was, as I have stated, a settlement as far as the legal side of it was concerned, and I not only admit, but I claim that it would not now be open in law to the Canadian parliament to impose a Remedial Bill on the province, and to impose upon the province, by reason of the passing of the legislation of 1871, further legislation on the subject. I call attention again to the fact that if the minority in the territory to be annexed were limited to their rights as they exist under chapter 62 of the revised statutes, they would be deprived entirely of the benefit of the legislation contained in chapter 26 of the statutes of Manitoba for 1897. In other words, it would be open to the province of Manitoba to take that course, although the province of Manitoba is bound to respect that statute and is unable to repeal it, because that statute has the character of a constitutional Act. They would not be obliged to apply the provisions of that statute to the new territory, and the new territory might be left without any remedy at all, without the benefit of any legislation of 1897. I come now to another point. My contention is, that not only an amendment of that kind would be much worse than the Bill as it is, but that it is not in the power of the Canadian parliament, in this Bill, to make any stipulation in regard to schools in the territory

to be annexed, which would be binding on the province of Manitoba. I think that is a point which has not received as yet the attention of anybody who has spoken on the question.

Hon. Mr. BELCOURT—That point has no bearing on the amendment at all; that is why we did not discuss it.

Hon. Mr. BEIQUE—But I am not speaking of the amendment; I am speaking of the Bill.

Hon. Mr. BELCOURT—But my hon. friend has not discussed the amendment at all yet; we have not heard a word about it.

Hon. Mr. BEIQUE—I am taking my own course. The hon. member may not be satisfied with the course I follow. If I have anything to state on the amendment I will state it by and by, but I am stating the law as I understand it to-day, and my proposition is that it is not open to this parliament to amend this Bill, to declare that a system of law contrary to that contained in chapter 26 of the Manitoba Statutes for 1897 shall be applied to the territory to be annexed. It has been taken for granted that this could be done because of the constitution of the Imperial Act of 1871 which says:

> The parliament of Canada may from time to time with the consent of the legislature of any province of the said Dominion, increase, diminish, or otherwise alter the limits of such province, upon such terms and conditions as may be agreed to by the said legislature, and may, with the like consent, make provision respecting the effect and operation of any such increase or diminution or alteration of territory in relation to any province affected thereby.

And the further provision is contained in section 6:

> Except as provided by the third section of this Act, it shall not be competent for the parliament of Canada to alter the provisions of the last-mentioned Act of the said parliament in so far as it relates to the province of Manitoba, or of any other Act hereafter establishing new provinces in the said Dominion, subject always to the right of the legislature of the province of Manitoba to alter from time to time the provisions of the legislative assembly, and to make laws respecting elections in the said province.

For the claim that in this Bill a provision may be incorporated determining what system of schools shall obtain in that territory to be annexed, one must rest on these words: 'Upon such terms and conditions, as are to be found in section 3.' But my contention is that those words cannot control, and have no reference to anything which may relate to any constitutional law; in other words, that when the province of Manitoba was created it received its constitution in virtue of an Imperial Act, and that constitution applies to the whole of the territory—to the new territory as well as the present territory—and that it is not in the power of this parliament to change the constitution in any shape or form.

It is not in its power to change it as regards education any more than in other respects. Suppose that this parliament should try to make it a condition of the present Bill that the legislative council of the province of Manitoba should be abolished, would it be in their power to insert a clause of that kind? I say evidently no. I say that parliament having been given the power to extend the territory of Manitoba, implies that the territory is to fall under the constitution of Manitoba as it exists to-day, and that no separate constitution can be created for the territories which are to be added. Therefore, I say, that if a clause of that kind were inserted in the present Bill, determining that in the territory to be annexed, the people would be entitled to separate schools, and although the province of Manitoba would accept that, they would not be bound by it, because it would be contrary to the constitution, and would not be in accord with the Imperial Act. The Dominion parliament is functus officio as regards anything that pertains to the constitution of Manitoba, and next year, or at any time after the passing of the Act, a clause of that kind could be disregarded by the province of Manitoba and treated as a nullity. I do not claim, however, that it is not in the power of the province to amend, and that it is not the duty of the province of Manitoba to further amend the legislation on schools from what was passed in 1897, to supplement it in order to render full justice to the minority, but I say that it must be done, not in an Act of this kind, but it must be done by the

legislature of the province, and that the moment it is done by the legislature of the province, then it will partake of the nature of a constitutional Act, as the Act of 1897, which they will not be able to repeal. Having given my opinion on the law, as I understand it, governing the matter, I propose to add a few words to say where I stand on the amendement which is now under consideration. The Liberal party deemed it its duty in 1897, when there was a Liberal government in power in the province of Manitoba, to try to obtain as great concessions as possible from that government. The question, I repeat, legally was settled. Legally the parliament at the time, having accepted the concession which was made, was not at liberty to adopt any remedial order and enforce it on the province, but the Liberal party expressed its wish and its desire to have the concession as obtained supplemented, and now that the present government is in sympathy with the government of Manitoba, it is but logical to ask this government to put itself in communication with the friendly government of the province of Manitoba, use their influence with them, and ascertain if they cannot induce them to render justice to the minority. I go further and claim that the people of Canada are entitled to ask the present government, if they have not already done so, to adopt that course.

Although I am not prepared to vote for the amendment as presented by the hon. member for Grandville (Hon. Mr. Choquette), because it might go too far and have the effect of killing the Bill, and, for the reason I have just mentioned, I have to support the sub-amendment, because I think we are entitled to consideration from the present government. Either they have exhausted their friendly influence with the government of Manitoba, or they have not exhausted it. If they would have asked for concessions let them say so; if not we are entitled to ask that they make an attempt to obtain from them further concessions in order that the old grievance may be fully remedied. For this reason I propose to support the sub-amendment.

Hon. Mr. BEIQUE.

The amendment to the amendment was rejected on the following division:

CONTENTS:

The Honourabale Messieurs.

Choquette,	Davis,
Beique,	Dessaulles,
Belcourt,	Fiset,
Boyer,	Godbout,
Cloran,	Lavergne,
Costigan,	McSweeney,
Dandurand,	Tessier,
David,	Thibaudeau—16.

NON-CONTENTS:

The Honourabale Messieurs.

Baird,	Macdonald, (Victoria),
Beith,	MacKeen,
Bell,	McLaren,
Bostock,	McMillan,
Bowell,	McMullen,
(Sir Mackenzie),	Mitchell,
Campbell,	Montplaisir,
Daniel,	Owens,
Derbyshire,	Poirier,
DeVeber,	Pope,
Ellis,	Prowse,
Forget,	Ratz,
Gibson,	Taylor,
Jaffray,	Thompson,
King,	Watson,
Landry,	Wilson (Elgin),
LaRivière,	Yeo,
Legris,	Young—36.
Lougheed,	

Hon. Mr. WATSON—I call attention to the fact that the hon. member from London has not voted.

Hon. Mr. COFFEY—I am paired with Senator Power. Otherwise, I would have voted in favour of the amendment to the amendment.

Hon. Mr. YOUNG—The hon. gentleman from Toronto has not voted.

Hon. Mr. KERR—I paired with Senator Casgrain. If I had not been paired, I should have voted against the amendment to the amendment.

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

CONTENTS:

The Honourabale Messieurs.

Belcourt,	Fiset,
Boyer,	Godbout,

Choquette,	Lavergne,
Cloran,	McSweeney,
Costigan,	Montplaisir,
Dandurand,	Tessier,
David,	Thibaudeau—15.
Davis,	

NON-CONTENTS:

The Honourabale Messieurs.

Baird,	Legris,
Beique,	Lougheed,
Beith,	Macdonald
Bell,	(Victoria),
Bostock,	MacKeen,
Bowell,	McLaren,
(Sir Mackenzie),	McMillan,
Campbell,	McMullen,
Daniel,	Mitchell,
Derbyshire,	Owens,
Dessaulles,	Poirier,
DeVeber,	Pope,
Ellis,	Prowse,
Forget,	Ratz,
Gibson,	Taylor,
Jaffray,	Thompson,
King,	Watson,
Landry,	Yeo,
LaRivière,	Young—36.

The SPEAKER—The question is now on the motion for the second reading.

Hon. Mr. MONPLAISIR moved that the debate be adjourned.

The motion was agreed to.

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

THE SENATE.

THURSDAY, March 21, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

SECOND AND THIRD READING.

Bill (H 3) An Act for the relief of Keitha Seeley.—Hon. Mr. Derbyshire.

SECOND READING.

Bill (140) An Act to amend the Fisheries Act.—Hon. Mr. Lougheed.

CONTINGENT ACCOUNTS OF THE SENATE.

FIFTH REPORT OF COMMITTEE ADOPTED.

Hon. Mr. THOMPSON moved the adoption of the Fifth Report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate.

Hon. Mr. CHOQUETTE—I would like to move that the matter be adjourned until next Tuesday. I only received the report a short time ago, and there are a few points that I would like to look into.

Hon. Mr. THOMPSON—I do not desire to be thought discourteous to an hon. member who makes a request of that kind, but we have adjourned the consideration of this report several times. It has been on the order paper for four or five days, and I do not think it contains anything that can be objected to. If it is the wish of the House that the report should be still further adjourned, considering the congested condition of legislation, I have no objection.

Hon. Mr. DAVIS—What is the object of putting it off?

Hon. Mr. CHOQUETTE—I do not see how we can deal with a certain part of the report. I do not know how a secretary can be appointed to the Speaker, and whether he has a right to have a secretary or not. I do not know whether the House of Commons will put a sum in the estimates to provide for the payment of a secretary for the Speaker. I should like to have some information from the other House as to what stand they will take on this matter.

Hon. Sir MACKENZIE BOWELL—Delaying the consideration of the report can really do no harm, especially as one or two of the senators desire to have it delayed. I have no objection to the report, and am only speaking on behalf of some others who desire to study it more closely.

Hon. Mr. POWER—One can readily understand that the Chairman is not in

favour of having the consideration of this report further postponed, because the probabilities are that this House will be prorogued by the end of next week, and if we continue putting off the consideration of this report it may not be dealt with at all this session; but I think the chairman of the committee is willing to accept the suggestion made by the hon. gentleman from Grandville division (Hon. Mr. Choquette), that this order of the day should be discharged, and that it should be put down on the paper to be taken up first after third readings on Tuesday.

Hon. Mr. DANDURAND—Is it to be discussed with closed doors?

Hon. Mr. THOMPSON—No, open doors.

The order of the day was discharged, and placed on the Orders of the Day for Tuesday.

IMPROVEMENT OF HIGHWAYS BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (77) An Act to encourage and assist the improvement of Highways.

On clause 3,

3. The Governor in Council may, in any year, and upon such terms and subject to such conditions as are prescribed by order in council, grant to any province in aid of the improvement of existing highways or bridges, or the construction of new highways or bridges, in such province, or for all or any such purposes, a subsidy not exceeding such sum as may in such year be voted by parliament for that purpose.

Hon. Mr. POWER—We have to take the wording of the Bill as it is submitted to the House, to understand what may be done under it. If hon. gentlemen will read this clause carefully they will see that it is possible, under this Bill, for the Governor in Council to select any particular province, and make a grant to that province under such conditions as the Governor in Council may prescribe. There is nothing in the clause to provide that this appropriation shall be made to all the provinces. It is possible, under the wording of this clause, that the grant should be made to only a single province. I believe, as a rule, this House should not interfere unduly in the administration of the public affairs of the country.

The government of the day are entrusted by the people with the administration of affairs for a certain time, and unless there were some very great reason for doing so, we should not undertake to interfere with the way in which the government propose to carry on that administration. On the other hand, if a measure is submitted to us which appears to contain dangerous elements, or which threatens to work injustice to any province, or to any number of provinces, then it is the duty of this Senate to act; or if the legislation is crude and incomplete, to try and make it perfect and to complete it; and it has always been understood that it is rightly the duty of the Senate to protect the interests of the provinces, more especially of the smaller provinces. Now, let us consider what might be done under this clause. I do not say in the hands of the present government, because members of the present government have committed themselves, in a general way at any rate, to the principle that the help to be given to the provinces in aid of the construction of roads shall be divided amongst the provinces in proportion to population. If that provision were contained in the Bill, I, for one, should not object to this clause; but there is no such provision; and while the present government, who, as I have said, are committed to a certain extent to fair-play, might abuse their powers, we have to consider what might be done by some other government—a government which came into power and found this instrument in their hands. Hon. gentlemen will see that, in the hands of an unscrupulous government, this measure might be used as a means of coercing the provinces. If the government of Canada wished to compel the government of a province to do something which, in the interests of their own constituents, the government of the province did not think should be done, this is, in effect, a club in the hands of the government of Canada to enable them to compel

a local government to do that which they should not be compelled to do. Road building is a work which peculiarly belongs to the local legislatures; and if the government are, as they propose by this Bill, to take the exclusive power of dealing with their roads and bridges out of the hands of the local governments, there should be at least some provision in the measure to protect the provinces from injustice.

Under the provisions of this Bill, it is in the hands of an unscrupulous government, which might be in power in this country, to offer a large bribe on the eve of an election to the people of any one province. It is in their power, if they are making these grants to several provinces, to except any one, or two, or three provinces from the grant. That is a most dangerous power to place in the hands of any body whatever, and I do not think we here, in the Senate, representing the interests of the provinces, should allow a measure to pass in such a form as would allow of action of that kind on the part of any government. In addition to that, it will be remembered that, before the election, an intimation was given by the leader of the opposition, and by numerous other gentlemen, his followers, that grants would be made to the provinces in aid of the construction of roads. The people of the country were not told, when these promises were made, that it was possible that the grants would be made only to such provinces as the Dominion government thought fit. It was not said in Ontario that the government might make grants in aid of the people in Nova Scotia, but that they would not make any grants to Ontario. Nor were our people in Nova Scotia given to understand that a grant might be made to Ontario, or Manitoba, or British Columbia, but not to Nova Scotia. If the promise of this measure had any influence with the electors, then it had an influence with the electors of the whole country, under the supposition that the grants were to be made to all the provinces. I do not think it is necessary to labour with that clause any further. I, therefore, move to amend the third clause as follows: Page 1, line 17, strike out 'any province' and substitute 'the several provinces of the Dominion.' Line 19 after 'bridges' strike out 'any such province.' Line 20, after 'purposes' strike out 'a subsidy' and substitute 'subsidies.' In the same line, after 'expending,' insert 'in the whole,' after the end of the clause insert the following as subclause 2:

The sum of money voted in any year to be expended under this Act shall be apportioned among, and paid to the several provinces of the Dominion in proportion to the respective populations of such provinces, as shown by the next preceding census.

Hon. Mr. LOUGHEED—While my hon. friend very probably has no desire to prevent this Bill going into operation, yet an amendment of this kind, without necessary qualifications, would certainly have that effect.

Hon. Mr. POWER—No, not at all.

Hon. Mr. LOUGHEED—For this reason, the fundamental principle of this Bill, is to act as an incentive to the province for the building of main highways. There must be some machinery in the Bill by which each province shall contribute at least a pro rata amount to that contributed by the central government.

Rt. Hon. Sir RICHARD CARTWRIGHT—The Bill does not provide anything of the kind.

Hon. Mr. LOUGHEED—While it does not provide that, as I explained to the House on the second reading, the Bill embodies a broad policy, the machinery of which must be worked out between the central government and the provinces, the object being that there must be mutuality and co-operation between the central government and the provinces as to contributions to the building and maintaining of public highways. It is, therefore, very obvious, that if one province should contribute, of its own motion, a like amount to that contributed by the Dominion government, under this proposed amendment of the hon. gentleman from Halifax, it would be obligatory upon the central government to grant

to a province, that absolutely refused to contribute, a like amount for the building of highways.

Hon. Mr. POWER—No.

Hon. Mr. DANDURAND—No.

Hon. Mr. LOUGHEED—I say yes. So long as my hon. friend keeps in view the fact that the fundamental principle running throughout the Bill must be that of mutuality and co-operation on the part of the province in contributing a like amount to the sum contributed by the central government, then possibly the Bill may be improved.

Hon. Mr. POWER—There is nothing to that effect in the Bill.

Hon. Mr. THOMPSON—How would you apply clause 6 to the doctrine you are advancing?

Hon. Mr. LOUGHEED—Clause 6 is distinct from the other clauses. Some of my hon. friends appear to regard this matter as somewhat humorous, but I am not susceptible to that view.

Hon. Mr. POWER—The idea is, that the hon. gentleman himself is rather humorous and facetious about it.

Hon. Mr. LOUGHEED—Clause 6 has in view, as I explained the other day, and as will appear to any hon. gentleman who reads the section, that the Dominion government may enter a province and construct a highway, with the consent of the legislature of that province.

Hon. Mr. POWER—This amendment does not interfere with that.

Hon. Mr. LOUGHEED—This amendment would affect that.

Hon. Mr. POWER—No.

Hon. Mr. LOUGHEED—But clause 6 deals with an entirely different class of cases from those dealt with by the other clauses. The other clauses presuppose a province and the central government coming together and agreeing mutually upon the building of highways in the province, and accordingly mutually contributing towards that particular end.

Hon. Mr. MACDONALD (British Columbia)—The provinces must first suggest what they want.

Hon. Mr. LOUGHEED—Both the provinces and the central government must come together. The hon. gentleman from Halifax, before introducing the amendment should have given notice of it, particularly in dealing with a matter of this kind, which should be weighed somewhat carefully and considered at length.

Hon. Mr. POWER—I think probably, I should have done that, but there have been so many committee meetings and so much work of that sort in the Senate, that I have had not had time.

Hon. Mr. LOUGHEED—What I ask the committee to do is to consider it in that particular light, and whatever amendment is made to the Bill, that should be kept in view—that whatever is contributed by the Dominion government should be contributed by any particular province that seeks to take advantage of the Bill.

Hon. Mr. CLORAN—How much per cent?

Hon. Mr. LOUGHEED—I may say that during the present session of parliament an estimate will be brought down of a substantial character which would be made divisible among the various provinces on the basis that I have already indicated, namely, based upon population; so that, as far as this session is concerned at any rate, there will be evidence of good faith on the part of the government in making this distribution of the appropriation upon the basis of population. But, as I explained a few days ago to my hon. friend, until the government and the provinces came together and evolved some scheme by which this principle, or this policy, could be mutually carried out, it was deemed undesirable to embody in the Bill such details as possibly some hon. gentleman might think should be introduced.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does my hon. friend mean, then, that

the government could make a bargain on different principles with different provinces? For instance, could they agree with one province that they would build the roads on receiving a contribution of 20 per cent, and require 30, or 40, or 50 per cent in another case?

Hon. Mr. LOUGHEED—No; the intention of the government is that the provinces should contribute a like amount; that there should be no preference given to any province.

Rt. Hon. Sir RICHARD CARTWRIGHT—A like amount?

Hon. Mr. CLORAN—That is dollar for dollar?

Hon. Mr. LOUGHEED—No, a pro rata amount; that whatever the Dominion government contributes, the province should contribute.

Rt. Hon. Sir RICHARD CARTWRIGHT—That would be a like amount, dollar for dollar.

Hon. Mr. LOUGHEED—Yes, dollar for dollar.

Hon. Mr. CLORAN—The Carnegie principle?

Hon. Mr. LOUGHEED—That, in a word, is the policy of the Bill.

Hon. Mr. CLORAN—That is no good.

Hon. Mr. DANDURAND—I think if the hon. gentleman will read the amendment he will find that it is simply embodying what he himself declared was the intention of the government, and not only what he declared, but what the Bill purports to have in view. Now, what is the preamble of this Bill?

Whereas the highways of Canada constitute an important part of the facilities which are necessary for any efficient national scheme of transportation and inter-communication: and whereas, with the increasing progress and development of the country it is desirable and expedient to improve and extend the existing highway facilities, and for that purpose to give assistance to the various provinces of Canada.

Now the hon. gentleman said it is the intention of the government to divide the lump sum that will be voted among the provinces according to population.

Hon. Mr. LOUGHEED—Provided they contribute likewise.

Hon. Mr. CLORAN—It does not say that.

Hon. Mr. DANDURAND—The hon. gentleman did not say that, and if he wants to put it in the Bill, I shall vote for it, and I think he will find that it will receive the unanimous approval of the House. So far we do not disagree. Now, this amendment of the hon. gentleman from Halifax, as I read it, simply embodies this declaration of the government that it shall divide this money and pay it over to the provinces according to population; but the hon. gentleman says this amendment makes it imperative on the government to give it, nolens volens, to each province without any bargain. I say no, because the hon. gentleman will notice, when he reads this amendment, that it does not vary in the least the first part of clause 3, and I intend to vote for the maintaining of clause 4. Clause 3 provides that:

3. The Governor in Council may, in any year, and upon such terms and subject to such conditions as are prescribed by order in council——

This is not varied

—grant to any province in aid of the improvement of existing highways or bridges, or the construction of new highways or bridges, in any such province, or for all or any such purposes, a subsidy not exceeding such sum as may in such year be voted by parliament for that purpose.

Now the addition is:

The sum of money voted in any year to be expended under this Act shall be apportioned among, and paid to the several provinces of the Dominion in proportion to the respective populations of such provinces as shown by the next preceding census.

That is all there is in the amendment to this clause. It is a declaration that the lump sum voted by parliament in any year shall be on such terms and subject to such conditions as are prescribed by order in council, paid over to the several provinces.

Hon. Mr. LOUGHEED—Yes, but does not my friend see that the very objection raised by the hon. member from Halifax (Hon. Mr. Power) is the saving grace of the clause? That is to say, it is optional with the Dominion government to contribute to any province. If another province does not contribute, the Dominion government is in a position to say we shall not

contribute to your province. That is what my hon. friend from Halifax seeks to remedy. He remedies it by making it obligatory on the central government, if it make a grant to any one province, that a relative grant shall be made to every province in the Dominion

Hon. Mr. BELCOURT--Upon such terms and conditions as are provided by order in council.

Hon. Mr. LOUGHEED—It is obligatory on the central government, the moment they have made a grant to one province, to make a pro rata grant to every other province in the Dominion.

Hon. Mr. KERR—Provided they will agree to the terms and conditions.

Hon. Mr. LOUGHEED—Clause 3 in the Bill provides that the Governor in Council may, upon such terms and subject to such conditions as are prescribed, grant to any province.

Hon. Mr. KERR—No, it does not say so.

Hon. Mr. LOUGHEED--I am reading the Bill. Power is given to the Dominion government to grant to any province such amount as may be determined upon. That places in their hands the right to say whether another province shall correspondingly participate in the fund. My hon. friend from Halifax (Hon. Mr. Power) said this would permit the government to differentiate between the provinces, and to remedy that condition of affairs, he says the subsidy shall be distributed amongst all the provinces, and he proposes to accomplish that by this amendment.

> The sum of money voted in any year to be expended under this Act shall be apportioned among and paid to the several provinces of the Dominion in proportion to the respective populations of such provinces as shown by the then next preceding census.

That makes it obligatory on the government, irrespective of pro rata contribution, to pay to the other provinces who may not have contributed to highways at all. It must be quite apparent to the hon. gentleman that the basis of this Bill is mutuality; the provinces must contribute a like amount to that contributed by the central government.

Hon. Mr. DANDURAND—I was pointing out that the total amount to be voted in any year shall be, under this amendment, divided pro rata, according to the population in each province, but upon such terms and subject to such conditions as are prescribed by order in council. Now, these terms and conditions are based upon a general principle and are offered to the several provinces, and then these provinces will be on an equal footing, and it will be for the provinces to accept or refuse them. If among these terms and conditions the federal government says that the provinces will have to pay dollar for dollar for what the federal government contributes, it will be for the provinces to decide whether they will accept the grant on these conditions. I draw the hon. gentleman's attention to the further advantage that the federal government retains and may exercise. He will find it in clause 4:

> Any highway for which aid is granted to a province shall be improved or constructed, as the case may be, according to descriptions, conditions and specifications approved by the Governor in Council on the report of the minister, and specified in each case in an agreement between the minister and the government of the province, which agreement the minister, with the approval of the Governor in Council, is hereby empowered to make.

Hon. Mr. LOUGHEED—That is simply the amount voted by the central government. There is nothing in this clause that compels the provincial government to contribute a like amount.

Hon. Mr. DANDURAND—It is stated in clause 3: 'on such terms and subject to such conditions as prescribed in order in council.' Leaving out the amendments that are suggested to this clause, the argument my hon. friend makes could be as well made against the Bill as it stands without the amendment. There is nothing outside of those terms to allow the federal government to impose the condition that dollar for dollar should be contributed by each province. The powers which the government retain are exactly the same as those which are in the Bill, and there is only in this amendment the declaration that the money shall be divided and paid over according to population. It is the very principle which the hon. the leader of the gov-

ernment, has admitted to be the one which is behind this Bill.

Hon. Mr. LOUGHEED—To shorten it, will my hon. friend give this as a notice of motion, so that we may consider its legal bearing in the sense in which I have mentioned, and we will take the Bill up to-morrow? I would suggest to my hon. friend from Halifax (Hon. Mr. Power) that the principle that I have attempted to lay down is one that will be readily recognized as fair, that all the provinces shall equally participate, provided they agree to the conditions. Let my hon. friend from Halifax make that perfectly plain, that there must be mutuality between the provinces and the central government, I do not say dollar for dollar.

Hon. Mr. DANDURAND—In order that we may avoid disagreement I should like to make a suggestion. So far the amendment of the hon. gentleman from Halifax simply carries the idea into the Bill that this will be apportioned among the provinces at so much per head per population, as a federal subsidy is paid.

Hon. Mr. LOUGHEED—I do not think it exacts anything from the province. That is what I find fault with.

Hon. Mr. DANDURAND—When the hon. gentleman laid this Bill on the table of the House we found nothing in it either. If it is the intention of my hon. friend to embody this principle, and this discretionary power, in the Bill, I would suggest that he himself draft the amendment.

Hon. Mr. LOUGHEED—No.

Hon. Mr. DANDURAND—It is a question of policy. I draw attention to the unfair position he takes. I am disposed to let the Governor in Council exercise all those powers and dictate those terms and conditions freely. My hon. friend says 'You are suggesting an amendment to this clause. Why do you not go further and say what the province will contribute?'

Hon. Mr. LOUGHEED—I did not say that.

Hon. Mr. DANDURAND—I thought the hon. gentleman said we could draft an amendment indicating that the province should give dollar for dollar with the federal government.

Hon. Mr. LOUGHEED—I said that the province which derived a benefit from the scheme must comply with the general conditions so far as contribution is concerned, and all the other conditions which will be incident to the arrangement. I want to make it clear that the province must contribute. If one province contributes, and others do not, the contribution of the federal government will not be distributed over those provinces which do not contribute.

Hon. Mr. DANDURAND—I claim the federal government has absolute jurisdiction in dictating the terms and conditions under which this grant will be made.

Hon. Mr. LOUGHEED—They have under the present Bill.

Hon. Mr. DANDURAND—My hon. friend is afraid, by adding that this sum is to be distributed pro rata, that it will tie the hands of the government. If the hon. gentleman will read clauses 3 and 4 with the amendment, he will find the federal government retains absolutely the same authority as it has under the present draft Bill.

Hon. Mr. BEIQUE—I think the suggestion of the hon. leader of the government in this House is quite fair, that he has not had time to consider the amendment, but I draw his attention to the fact that if he thinks the amendment does not reach the point that was raised, it might be further amended. I think when the hon. gentleman considers clauses 3 and 4 he will see that it will be open to the government, under the amendment as worded, to apportion in favour of the several provinces an amendment according to the population and to impose, for instance, as a condition that the amount shall be paid to each province as each province shall contribute such-and-such proportion—a like amount, or twenty per cent of the amount for the same purposes. It seems per-

fectly clear that it would be open to the government to impose that condition, or any other condition. There is nothing specially directory as to what conditions the government may impose, but in the spirit of the Bill I understand that there should be conditions that are in principle alike, and if conditions of that kind are imposed, provided they are imposed on all provinces alike, and one province is not willing to make a contribution, it will mean that that province shall be unable to receive its share, until it is ready to contribute.

Hon. Mr. POWER—If the hon. gentleman the leader of the House wishes further time, he had better move that the committee rise and report progress.

Hon. Mr. CLORAN—I would like to have one or two assurances from the leader of the government. Under the Bill it is open to the central power to make the terms and conditions upon which this money shall be given to the several provinces, or none of the provinces. The government should be in a position to-day to state what the terms and conditions are upon which this money shall be given or may be given. It is open now to the government to make terms and conditions with one or all the provinces. It may make terms and conditions with Manitoba to give it a dollar or ten cents. If the province put up ten cents they get a dollar. If the federal government put up a million, all they have to contribute is $100,000. Then it is open to the government to go down to Nova Scotia and say, 'You cannot get the money unless you pay twenty cents on the dollar.' This is the condition of things which may exist under the present Bill. That power lies in the hands of the government. I want no such privilege given to the administration. The government should make it plain now, and when the leader of the government brings down his amendment he should make it plain that should five or ten million dollars be voted by this parliament for the use of highways, the terms and conditions upon which the money is to be allotted to the several provinces shall be distinctly stated in the Bill. There should be no power left in the hands of the government to discriminate between provinces—not even the suspicion of a power. They should state emphatically that if the parliament of Canada votes five, ten or fifteen million for highways, it shall be allotted to the provinces upon condition that they pay so much pro rata, or so much according to the amount allowed to the provinces. I would not allow the government to control that matter one minute. That is a point on which the leader of the government would do well to consult his colleagues, and bring down the necessary information. It is only fair to the country that it should be known upon what ground this money will be allotted to the several provinces. The power in the hands of the government under the Bill is a dangerous one. It says the terms and conditions mutually agreed upon between the federal and provincial power that it shall be allowed. What does that mean? The federal government may go to Quebec, and put up a proposition which Quebec cannot and will not accept. The government has then the power to turn around and hand it over to Manitoba.

Hon. Mr. DANDURAND—Not under the amendment.

Hon. Mr. CLORAN—Not under the amendment, but under the Bill. If Canada votes ten millions of dollars for highways, and the government of the Dominion can come to a satisfactory agreement with only one province, then the central government has the authority to hand over that ten millions to one province.

Hon. Sir MACKENZIE BOWELL—Impossible.

Hon. Mr. CLORAN—But it is under the Bill, and I say that it should not be left in their hands. It is not only an absurd thing, but it is outrageous. This money should be controlled by parliament, and not by the government, and the expenditure should be controlled by the provincial legislatures, and not by any federal office, or this government. That is the principle upon which I stand. If this government is willing and able to give ten, fifteen and twenty million dollars a year

for the purpose of highways, I am prepared to have that amount voted; but I am not prepared to allow this government to go into the several provinces and expend that money, under any condition, or any consideration. I know too well what would become of that money in time of stress and necessity, especially electoral necessity.

Hon. Mr. BOYER—If my hon. friend will refer to the debates of the House of Commons on Monday, January 22, he will find that the Hon. Mr. Cochrane, in introducing this identical Bill, said:

> The money will be decided the same as our subsidies for the different provinces, and the object will be to work in with the different local governments. We shall have to get their permission in any case before going on, either with them or alone, and in deciding what roads shall be improved or where the work is to be done.
>
> Sir WILFRID LAURIER. May I ask my hon. friend to tell us upon what principle or basis is the division to be made amongst the provinces?
>
> Mr. COCHRANE. Either with what they choose to grant, or if they do not like to grant anything at all, we will go on, with their consent, to fix a standard of roads to be constructed and then the Dominion can go on either with or without the assistance of the provinces.

Hon. Mr. LOUGHEED—Yes, that is why clause 6 is there.

Hon. Mr. BOYER—Then Sir Wilfrid Laurier said:

> Sir WILFRID LAURIER. I was asking the hon. gentleman (Mr. Cochrane) to tell us if there is any basis of allotment as among the provinces. The provincial subsidies are based on population; is this based on population?
>
> Mr. COCHRANE. Yes, I explained that it was to be on the same basis as that upon which the subsidies are granted to the provinces.

Hon. Mr. BOYER—Well, it strikes me that that is the object of this amendment, simply completing the object Mr. Cochrane had in view when introducing this Bill.

Hon. Mr. LOUGHEED—I have said that that is the intention of my hon. friend from Halifax in bringing in his amendment, but the only thing is I disagree with him as to the effect of the amendment.

Hon. Mr. BOYER—It strikes me that was Mr. Cochrane's idea, only he forgot to put it in the Bill, and we intend to remedy it.

Hon. Mr. CLORAN—Will the hon. leader of the government tell me, according to the statement of the Minister of Railways, that this government will go into a municipality and construct a road in spite of the provincial law? Does he hold that constitutional? Mr. Cochrane states that here—that they will enter into a mutual agreement and if the province does not agree to allow the Dominion government to construct the road, the Dominion government will go in and construct it alone. Will the leader of the government tell me if that is constitutional ground to take?

Hon. Mr. DANDURAND—If the hon. gentleman will read clause 6 he will find—

Hon. Mr. CLORAN—Yes, but there is the statement of the minister.

Hon. Mr. DANDURAND—It is not for me to answer my hon. friend.

Hon. Mr. LOUGHEED—I would prefer that you should answer.

Hon. Mr. DANDURAND—My hon. friend will find clause 6 says:

> 6. The minister, with the approval of the Governor in Council and upon such terms and conditions as are prescribed by order in council, may undertake the construction of any new highway or the improvement of any existing highway in any province, and may expend in such improvement or construction the whole or any part of the sums voted by parliament for such subsidy to that province. Provided, however, that the minister shall first obtain the necessary authority from the legislature of such province and the consent of the Lieutenant Governor in Council.

Hon. Mr. CLORAN—I am not discussing the Bill, I am discussing the statement of the minister, and we know in what spirit this law will be administered. There is the statement of the minister against his own Bill. I am not making the statement, but here is a Bill which provides against it, and here is the minister declaring formally to parliament that if the provincial or municipal body do not undertake the work, the government will go in and do it, and I believe Mr. Cochrane is bully enough to do it.

Hon. Mr. LOUGHEED—I move that the committee rise and report progress, and ask leave to sit again.

Hon. Mr. POWER—When? To-morrow?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. BELCOURT—Before the committee rises I would ask my hon friend, in order to better understand this statement, if he would tell us, not in too many details, but generally, what his understanding is of the terms and conditions which are mentioned in clause 3? I would like, for my own information, to have an idea of the nature of the 'terms and conditions' which are there in contemplation.

Hon. Mr. CLORAN—That is what I asked him.

Hon. Mr. BELCOURT—The terms are very vague. I do not really know that I understand what they mean.

Hon. Mr. LOUGHEED—For instance, such a term as I have mentioned, that of contribution. Location might be another term. The class of a road might be a condition. The burden of maintenance might be a condition—upon whom should fall the burden of maintenance—and many other factors of this kind would necessarily enter into the discussion of such an arrangement I think this is all I can say about it.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend, as I understand him, lays down two propositions. If I am not correct, of course, he will set me right—first of all, that, other things being equal, the distribution will be made according to population.

Hon. Mr. LOUGHEED—Yes.

Rt. Hon. Sir RICHARD CARTWRIGHT—In that I understand him correctly?

Hon. Mr. LOUGHEED—Yes.

Rt. Hon. Sir RICHARD CARTWRIGHT—And in the next place, that the intention of the government now, although it does not appear to have been so described in the speech of the minister who introduced the Bill, is that no money will be spent unless the particular province in which it is to be spent contributes in proportion either a like amount, or whatever sum may be fixed, and that that sum will be the same for the various provinces?

Hon. Mr. LOUGHEED—That is what I understand, yes. A case might possibly arise under clause 6 where it would be manifestly the duty of the Dominion government to construct a road through a province, say something having to do with the development of a public work. In such a case, of course, the province would participate in all the advantages of the construction of such a road, and yet the burden of it might fall upon the central government and they alone could carry it out with the consent of the legislature of the province. I simply cite that to illustrate the class of work that might fall upon the central government under clause 6.

Hon. Mr. DANDURAND—But that would be exceptional.

Hon. Mr. LOUGHEED—Yes, of course clause 6 is intended to deal with exceptional cases, with cases in which the central government might not naturally expect the provincial government to contribute.

Hon. Mr. DANDURAND—I take it for granted that all those works, being provincial and municipal works, wherein the municipalities owning the roads and doing a part of the work are naturally called in to participate, that such works are to be carried on as a general principle by the provinces under terms and conditions and specifications laid down in the contract of agreement. That is what I understand?

Hon. Mr. LOUGHEED—Yes

Hon. Mr. WATSON—In all fairness, the amendments submitted by the hon. member from Halifax should be left to the leader of the House for consideration. It is a fact that the government are going to make an attempt to give back to the people a portion of the very large revenue which they have taken from the people. They have decided that a good excuse for giving it back would be to build improved roads. It appears to me that, as the people have contributed that money, they should get it back, without having it ear-marked for the purpose of building roads. Some provinces require much more money for the purpose of road building than others. We

do not require as much money to build roads in the prairie provinces as they do in Ontario and British Columbia. But our people have to contribute towards making this great surplus, and they certainly ought to participate in any money that is paid back to the provinces, and they should be entitled to receive their share of this surplus without having it ear-marked. Why should they not have the money for the purpose of relieving themselves from any kind of taxation? The province of Ontario have very excellent roads, and they vote large sums of money for that purpose. The province does not spend the money, it is handed over to the municipalities. It seems to me that it is an absurd proposition to say that the federal government shall undertake the expenditure of money in the provinces for the purpose of building highways. Some gentlemen have been agitating for an all-red route through Canada, from east to west, practically an automobile road through Canada. The people interested in automobiles, owners and manufacturers, have become very much interested in such a highway. I do not think the government is justified in ear-marking the taxpayers money for the purpose of building any such road throughout the Dominion Our main roads now, for through traffic, are railroads, and if we are spending money for roads, we should do it by way of assisting in building roads in newly settled districts, and not for main highways leading from one province into another. The road the farmer wants, is a road to enable him to get his products to the market in an easy way. The provincial government should be allowed to direct how this money should be spent. I was pleased to hear the explanations given by the leader of the House. He seems to be inclined to the idea that the people should have this money paid back to them pro rata. If that principle is adopted, and the money is handed back to the province pro rata, without being ear-marked, I think it will be a good plan, and this House should approve of the measure, but it should be distinctly understood that this money would be handed back to the provinces without being ear-marked by the federal government.

Hon. Mr. LOUGHEED—Some of my hon. friends seem to be very suspicious as to the ultimate application of this money. The government is making this expenditure in deference to a public sentiment which has been expressed from the Atlantic to the Pacific on this important question. I think every Board of Trade from Cape Breton to Victoria has memoralized the Dominion government to enter upon this very important undertaking.

Hon. Mr. WATSON—Is that for a main highway, the all-red route?

Hon. Mr. LOUGHEED—Main highways through Canada. My hon. friend from Russell (Hon. Mr. Edwards) was president of the Canadian Foresters Convention, which is one of the most representative institutions in Canada, and during his presidency, I think it was, they held a convention, in 1911, and made the following pronouncement, upon this important subject:

We should build a national highway from the Atlantic to the Pacific, the cost of which should be borne by the federal government. This road, so far as this part of Canada is concerned, might run from Ottawa to Montreal, from Montreal to Quebec, from Quebec to Fredericton, then another road from Quebec to the Labrador coast. The latter road would open up immense areas for agriculture, facilitate the development of our water-powers, fisheries and forests, in that part, and would precede the railway which must one day be built to Labrador to open a door to be used by Europe for trade with America.

Hon. Mr. EDWARDS—Did you hear whether the member for Russell subscribed to that?

Hon. Mr. LOUGHEED—My hon. friend should have resigned the presidency at once, when he found the convention was against him.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does my hon. friend think Boards of Trade high constitutional authorities?

Hon. Mr. LOUGHEED—They represent public sentiment.

Rt. Hon. Sir RICHARD CARTWRIGHT—No, they do not, by no manner of means.

Hon. Mr. EDWARDS—I want to say that we had a few very visionary people at that convention. I do not hesitate to say that I think it the most insane proposition that ever was put before a convention.

Hon. Mr. DANDURAND—I am not in accord with my hon. friend from Portage la Prairie (Hon. Mr. Watson) when he suggests that this money should not be earmarked. I think it should be expended for the improvement of highways.

Hon. MEMBERS—Hear, hear.

Hon. Mr. DANDURAND—The fear that my hon. friend expressed that an automobile road from the Atlantic to the Pacific might, under the terms of this Bill, be undertaken is one that will be controlled at the proper place. The right hon. the leader of the House of Commons declared in another place that after the close of this session he will call the representatives of the various provinces together at Ottawa and discuss with them a general plan for the improvement of the highways in their provinces. Each province will state what its wants are, and the sentiment of that province will prevail in the application of the money voted to it by the federal government. That is why I do not fear leaving absolute discretion to the federal authorities to fix the terms, conditions and specifications under which this money shall be expended.

Hon. Mr. WATSON—Under clause 6 they can do it without that.

Hon. Mr. DANDURAND—I have not yet understood the usefulness of clause 6. If the money is to be made payable to each province, I still less see the usefulness of clause 6. The leader of the government in this Chamber suggests that it may be utilized for special work carried on with the consent of the province and municipality by the federal government. It seems to me that this clause has nothing to do with the general scheme of improving the highways through Canada. I am convinced, when I read this Bill, that clauses 3, 4 and 5 are all that are necessary to carry out that scheme. I quite realize that this Bill has been prepared in a hurry, and the federal government will know better where it stands after it has had a conference with the representatives of the various provinces. I should like to give the authority of the Prime Minister who said in another place, at page 3713 of 'Hansard':

> I do not claim that this Bill is a perfect Bill. It has been prepared in the hurry of a session, by a government which had to meet parliament within five weeks after it assumed office, and the Minister of Railways and Canals, who introduced the measure, stated that it was introduced as the best method of dealing with this matter that could be devised by the government in the short time at their disposal for its consideration. It is very likely that on the next or the following session, a more elaborate measure may be introduced, but it is considered desirable by the government that no time should be lost in implementing the pledge made by the Liberal-Conservative party in the last election that it would call for aid from the federal treasury of Canada towards the improvement of highways throughout the country.

I feel that the government will know exactly where it stands when it has had that conference, and I am convinced that a general plan will be agreed upon by the representatives of the provinces and the federal authority. The hon. gentleman may not be in a position to go into the details and give an explanation as to the advantage of retaining clause 6. I do not see the utility of clause 6 in view of the fact that the money will be apportioned and paid over to the various provinces according to population. Probably after a conference takes place conditions may evolve which will justify supplementing this Bill by further legislation, but up to this moment it seems to me you will find in clauses 3, 4 and 5 all that you will require to reach the object which is contained in the preamble.

Hon. Mr. ELLIS, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again to-morrow.

THIRD READINGS.

Bill (W. 2) an Act to incorporate the Capital Trust Corporation, Limited.—Hon. Mr. Gibson.

Bill (46) An Act to incorporate the British Trust Company.—Hon. Mr. Gibson.

Bill (H) an Act to incorporate the British Canadian Loan Company.—Hon. Mr. Gibson.

Bill (80) An Act to incorporate the Dominion Trust Company.—Hon. Mr. Gibson.

Bill (Y 2) an Act to consolidate and amend the Acts relating to the Dominion Guarantee Company, Limited, and to change its name to the Dominion Gresham Guarantee and Casualty Company.—Hon. Mr. Gibson.

SECOND READING.

Bill (106) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

CANADA SHIPPING ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill (143) An Act to amend the Canada Shipping Act. He said: This Bill deals with rather a technical subject, and possibly the House would be better pleased if I read a memo. which has been furnished me on the subject, rather than explain. The memo. reads as follows:

The reason for the amendment is that many of these auxiliary propelled ships are not employed solely in fishing. If they were, they would be exempt under the present law from having to have a certificated master in charge. They engage in fishing for three, six, or nine months only, and after that they carry cargo between the small ports in the maritime provinces.

Without the installation of the gasolene engine, sailing boats are also exempt from the provisions requiring a certificated master to be in charge, if they are under 150 tons registered tonnage. (See section 5 of chap. 65, Statutes 1903, raising such tonnage limit from 100 to 150 tons). But the usual custom to-day is to install a small gasolene engine in boats which are to all intents and purposes sailing boats so as to aid their movements in calm weather. As soon as a gasolene engine is put in they become steamships under the provisions of section 743 of the Imperial Merchant Shipping Act, which reads as follows:

743. Any provisions of this Act applying to steamers or steamships shall apply to ships propelled by electricity or other mechanical power with such modifications as the Board of Trade may prescribe for the purpose of adaptation.

The board of trade have advised the Department of Marine and Fisheries that it is their practice to classify gasolene propelled vessels as steamers. The reason why reference is made in this matter to the Imperial Merchant Shipping Act instead of to the Canada Shipping Act, is that the Canadian Act is silent in part 1, which relates to registration of shipping as regard such ships. The department is advised that in these circumstances the provisions of the Imperial Act would govern. Unless therefore some provision is made to exempt these sailing vessels with their small gasolene engines on board from the operation of Part II of the Canada Shipping Act, every one of them will require, under section 96 of the Canada Shipping Act to have a certified master in charge. There were 4,588 boats with gasolene engines engaged in the fisheries of Canada in 1910-11, (See answer in 'Hansard,' February 8, 1912, page 2722).

The Bill was read the second time.

The House resolved itself into Committee of the Whole on the Bill.

(In the Committee).

Hon. Mr. BOYER—This clause refers to steamships of not more than five tons. Is the word 'steamship' a proper word to use for boats of five tons?

Hon. Mr. LOUGHEED—That is one of the difficulties of the Imperial Shipping Act. Anything propelled by gasolene, or steam, is a steamship, and it is to overcome that difficulty we are amending the Bill. Then my hon. friend will have to keep in view that we have to work in the Canada Shipping Act together with the Imperial Shipping Act so that they will harmonize as much as possible.

Hon. Mr. MACDONALD (British Columbia), from the committee, reported the Bill with an amendment, which was concurred in.

The Bill as amended was then read the third time and passed.

SECOND READING.

Bill (144) An Act respecting aid toward the construction of the Canadian Northern Alberta Railway.—Hon. Mr. Lougheed.

TARIFF COMMISSION BILL.

REPORTED FROM COMMITTEE.

The House resumed in Committee of the Whole, consideration of Bill (88) An Act to provide for the appointment of a Tariff Commission.

(In the Committee.)

Hon. Mr. LOUGHEED—There is a proposal to amend clause 3. My right hon. friend has suggested that the appointment of a tariff commission should be during pleasure. The difficulty that presents itself to the government in accepting this suggestion is that capable men would hesitate about taking office under such a tenure. It is desirable they should feel that they would be secure in their office during at least five years. It will probably involve men abandoning such positions as they may at present occupy and accepting this office, and it would be very difficult to secure such an official unless he felt he was absolutely sure of employment for five years.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not exactly follow my hon. friend. All other government officials, with one or two exceptions, are appointed during pleasure, and there is very little difficulty found in filling their places, especially on such salaries as my hon. friend's colleagues propose to attach. I see serious objection to making these gentlemen independent, as they virtually would be, of parliament or of anybody. They can only be removed on an address of both Houses of parliament at any time for cause. Practically speaking we know that that means that they cannot be removed at all. These parties should not be made independent of the ordinary tenure of office. My hon. friend I think can point to no other case, except it may be such as the Railway Commission, in which men are appointed in that fashion, and I do not think a precedent should be established in this matter. I think the Railway Commission hold office during good behaviour.

Hon. Mr. LOUGHEED—They are appointed for ten years, and this office is scarcely analogous to that which would be occupied by an official in the civil service. The civil service is a permanency; my hon. friend would not be prepared to concede that this is a permanency. From the observations made by my right hon. friend, it is quite apparent that, if there were a change in government, the tenure of office by those commissioners would be very uncertain. If they are going to accept office under, practically, a threat of that kind, it will be very difficult to get a satisfactory class of men, not that I think for a moment that the officer appointed should have any doubt as to his continuance in office for five years at least.

Hon. Mr. DANDURAND—What would happen if the Act were repealed in three or four years.

Hon. Mr. POWER—There would be vested interests.

Hon. Mr. LOUGHEED—I think it will be agreed by all parties that Canada must have a tariff for years to come.

Rt. Hon. Sir RICHARD CARTWRIGHT—But not a commission.

Hon. Mr. LOUGHEED—There must be some source from which to obtain information necessary to the proper framing of a tariff, and it is not unreasonable to suppose that, though the fiscal policy of Canada would change, a body of this kind would be eminently useful in securing such information as might be desirable from time to time in the framing of a tariff or giving information as to how a tariff should be maintained.

Rt. Hon. Sir RICHARD CARTWRIGHT—I have already pointed out to my hon. friend that there is no objection on our part to attaching a bureau to the Department of Finance, or any other department who may be charged with that duty. That does not involve making the officers absolutely independent of us. It does not affect my case, because at my time of life I do not look forward to bothering myself in office again. I think, as a matter of principle, you should not introduce clauses giving these men a vested right for a particular time. It is quite possible that, within four or five years a change of government might take place. I will not say a change of heart is likely to take place, because my experience renders that extremely improbable, and I cannot hope for any improvement in that respect, but within four or five years if there is a change, and say these gentlemen stay in

after five years, they would probably be re-appointed for a further term of five years, and with this clause in the Bill, we would be stuck with them for a matter of another five years' term, and I do not think it is a fair proposition to submit.

Hon. Mr. LOUGHEED—Let me instance a case such as my right hon. friend has just mentioned, a bureau of information in the Department of Finance. There would be nothing to prevent the government, if there should be any fiscal change, to legislate this same commission into the Department of Finance, and constitute them a bureau of information.

Rt. Hon. Sir RICHARD CARTWRIGHT—This mania for giving very large salaries to gentlemen of that class should not be encouraged. You are providing three men with salaries equal to, or greater than that paid to ministers of state, and very much greater than the deputy heads of departments who are charged with as important duties as those to be assigned to this commission. I do not think we should be tied down to pay $7,000 or $7,500 to these men. My experience, and it has been a pretty extensive one, is that agents of manufacturing associations, or experts of that class, are very far from being the best persons to be consulted about the necessities of the tariff. They are very much more likely to be affected in the direction of helping forward the parties whose representatives we know they will be, and are, to all intents and purposes. As to the effect on the general public, I am sorry to say my experience has been that there are no men more utterly indifferent to the public weal than the parties who desire to increase the taxes.

Hon. Mr. CLORAN—Has the government any idea of what the cost of this commission will be when it is completely equipped and in running order, apart from the salaries to be paid to the three commissioners?

Hon. Mr. DERBYSHIRE—Seventy-five thousand dollars a year.

Hon. Mr. CLORAN—That will scarcely pay for the ink, pens and pencils. I would like to ask whether the government has any idea of the cost when the staff is fully equipped.

Hon. Mr. DOMVILLE—Give notice of that for an inquiry to-morrow.

Hon. Mr. CLORAN—They ought to know it now. These officers are empowered to take evidence in Canada and elsewhere, and that means anywhere from Australia to the moon. They will send experts to take evidence in different parts of the world, and it will cost the country a considerable amount of money. I want this information, not only for myself, but for the country, and if the government cannot give it I shall vote against the Bill. The government is in duty bound to tell the country what this commission is going to cost.

Hon. Mr. LOUGHEED—I cannot at the present time tell my hon. friend what this commission is going to cost.

Hon. Mr. CLORAN—That is a fair admission. If I can find a seconder I shall move that the committee rise and report progress, and not sit again until the government is in a position to tell us what this commission is going to cost the country.

Hon. Mr. WILSON—It is with satisfaction and pleasure that I second that motion. I am not anxious that there should be any unreasonable haste in this matter with regard to getting information from the government, but I do think you ought to have some idea as to what the commission will cost. Before a commission of this kind is appointed the government should have an idea of somewhat near what it will cost. We do not ask for a definite statement, but we feel that we are entitled to some definite information on the subject. I do not think it is unreasonable, therefore, that the committee should rise and report progress, and that the government should delay proceeding with this Bill until the leader of this House can ascertain what the commission will cost. We are quite well satisfied that it will cost enough. The way things are going on, with millions to be expended on the improvement of highways and everything else, can we look forward

to the annual expenditure not exceeding thirty-nine or forty millions of dollars in the future? We should call a halt. The leader of the House should give the government to understand that in the Senate, we are not supposed to be merely beasts of burden carrying any load that the government of the day may feel disposed to impose upon us. The country will hold us responsible if we fail to ascertain how much is likely to be expended on this commission. I therefore feel that we are demanding nothing unreasonable when we ask that this matter be delayed for a short time. Why should we pay large sums of money without information? My hon. friend here says it will cost seventy-five millions.

Hon. Mr. DERBYSHIRE—No, seventy-five thousand a year.

Hon. Mr. WILSON—Well, I think he could multiply it by ten and come nearer to the truth.

Hon. Mr. DERBYSHIRE—No, I have gone into it carefully.

Hon. Mr. WILSON—Seventy-five thousand will not cover the expense. I see no estimate made by the government in the Commons, though they must have some idea. Are they running recklessly into this commission without having any idea what it will cost the country? Has not the country a right to know something about it? We have been able to get along many years without a tariff commission, and we had a good tariff and a good minister who gave us a wholesome, overflowing revenue. Will we get as good in the future? Bear in mind that every particle of duty by which you increase the revenue costs the poor labouring man that much more, because it is more costly to live; and is it not hard enough for the labouring man who works day in and day out to live upon his salary? Is it not hard enough for him to be able to earn sufficient to maintain his family? Are you going to increase the burdens to such an extent as to drive the people out of the country? The government is spending money to bring them in.

Hon. Mr. LOUGHEED—The hon. gentleman from St. Thomas is almost in as good a position as the government to say what the probable cost of such a commission would be. The cost of the commissioners would be $21,500. There would be a clerical staff to be maintained and officers to be secured, and there would be the cost incident to inquiry, but I should say the amount mentioned by my hon. friend from Victoria division would be ample to cover it—in fact would exceed the sum.

Hon. Mr. CLORAN—It is too ample. I am not prepared to vote that amount. If the tariff commission is going to cost anything over $50,000, it should not be tolerated for a moment.

Hon. Mr. LOUGHEED—Is that not the amount you mentioned?

Hon. Mr. CLORAN—No, I said $500,000. Just see what the Civil Service Commission cost. It was supposed to cost a few thousand only. Then look at the cost of the Railway Commission. There is not a single commission appointed by the government that does not cost two or three hundred thousand dollars, and there is no need of this commission. I do not blame the hon. leader, nor do I blame his colleagues for not knowing what the cost will be, because under this Bill they can send commissioners to any part of the globe. Investigations can be made in Canada and elsewhere. The commissioners cannot be everywhere. They will remain in Ottawa and sit in their cushioned chairs, while they send experts to the four corners of the earth, and it will cost a great amount of money. These people will travel in private cars. I say $500,000 would not be sufficient to toe the mark in five years. If the people of the country knew it was going to cost that amount of money, they would not tolerate it for a second. It is very easy to introduce the thin end of the wedge and keep hammering until the treasury is split in two. I think my question is a fair one. The government can be in a position to circumscribe the work and leave it to three members, but if they can appoint several commissioners where it will end? I am not making these remarks to embarrass the government; it is to keep them out of trouble so that at the next election we

cannot throw in their face the allegation that they have been spending money lavishly. I am doing a kindness to the government and putting them on their guard.

Hon. Mr. LOUGHEED—We are much obliged.

Hon. Mr. CLORAN—All the information this commission will get can be obtained by the department. Half a dozen, or twenty clerks could be employed and the cost would be much less than the expenses of these three commissioners. My position is a fair one; it is not merely a criticism of their action, it is simply demanding information which the people, whose money they are expending, are entitled to. The people pay their money to keep the government going, and when representatives of the people ask for information it is the duty of the government to furnish it and to give the people's representatives the assurance that they will not spend too much. This Bill should not be adopted in committee. My motion is seconded by the hon. member from St. Thomas (Mr. Wilson). The Bill should not be proceeded with until this information is given or until we have a guarantee from the government that it will not cost more than a certain sum.

Hon. Mr. DANDURAND—I draw my hon. friend's attention to the fact that no money will be expended for the purpose of this commission until it is voted by parliament. A specific sum will be put in the estimates.

Hon. Mr. CHOQUETTE—I generally agree with my hon. friend from Montreal (Mr. Cloran), but I do not agree with him on this point. If he will look at clause A, he will see what the commissioners are going to cost, and also what the secretary will be paid. The government cannot say how much it will cost for witnesses, or for the stenographers, or travelling expenses. When the lump sum is put in the estimates, we will have some information. I think we had better go on with the Bill, and I would ask my hon. friend from Montreal to withdraw his motion.

Hon. Mr. CLORAN—I understand fully what the hon. senator from Grandville (Hon. Mr. Choquette) has stated that the initial cost of this commission will be twenty-five thousand dollars salary for the three commissioners and the secretary. I want to know what will be the final cost for the full equipment of the bureau.

Hon. Mr. CHOQUETTE—The government cannot give that information.

Hon. Mr. CLORAN—They will know whether this commission will require a whole building, and the cost of expert evidence and what salaries will be paid to the sub-commissioners. They should not go into this thing in the dark. We ought to be able to get some information on these points.

Hon. Mr. LOUGHEED—My hon. friend surely does not expect that the government should embody in this Bill what will be the cost of office expenses.

Hon. Mr. CLORAN—No.

Hon. Mr. LOUGHEED—We have already provided for the cost of the commissioners and secretary, which is something less than twenty-five thousand dollars per annum. Then there will be expenses incidental to the maintaining of the commission, office expenses, travelling expenses, etc., which should not amount to a very large sum.

Hon. Mr. CLORAN—I am aware of that. What I want the hon. gentleman to do is to fix some sum that it will cost, so that five years from now I can confront him with those figures. If he says it is going to cost one hundred thousand and it costs five hundred thousand dollars, I can say that he deceived the country. I want a straight estimate from the government today. There is nothing behind that Tariff Commission but to strangle Liberals in regard to their tariff stand. Everybody knows that and I want, as a Liberal, to know the position of the government with regard to this.

Hon. Mr. DERBYSHIRE—This clause seems to be contentious, and I think we had better let it stand and take up some other matter and give the government a chance to study it out.

Hon. Mr. WILSON—The suggestion of the hon. member (Hon. Mr. Derbyshire) is a satisfactory one as far as I am concerned, and I have no doubt it will be quite satisfactory to the mover. I am old enough to know that when a Conservative government was in the House of Commons in years gone by there was perhaps nothing that afforded as liberal a spring-board as government by commission. They denounced it. Have they changed it? Have they in their older years reformed or retrograded? Where are they now as compared with where they were then? We do not want definite information, but why is it necessary that they should claim and have a freedom of hand to run into as great an expenditure as possible? The country does not desire it. The country has strong objections to this or any other government administering affairs by commission. We know what the government will do, and we can understand that they are responsible, but give them a commission and have we any restraint upon them? Have they any desire to curb and keep down expenses? They are not responsible to the people; they are only responsible to the members who supported them, and therefore we would not expect them to be as economical or careful as we would desire in administering the affairs of the country. Therefore, Mr. Chairman, you should suggest to the committee that they rise and report progress and ask leave to sit again to-morrow. The leader of the House can get the information we desire to-morrow, and, if not, he can ask leave to sit on Monday or a day or two ahead. All we want is to let the people, through their representatives, feel that we are trying to do the best we can in the interests of the country. I therefore feel that it would be to the best interest of the government and parliament that we should have the committee rise and report progress and ask leave to sit again.

The CHAIRMAN. Does the hon. gentleman persist in his motion?

Hon. Mr. CLORAN—That is what the seconder says.

The CHAIRMAN—Then I will put the motion in this form—that the committee rise and report progress and ask leave to sit again. In my opinion it is lost.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the following amendment to subsection 3 of section 3:

Page 2, line 1.—Leave out all the words after the word 'office' and substitute therefor the words 'during pleasure.'

Hon. Mr. DANDURAND—It is the intention of the government to make this a permanent commission?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DANDURAND—I am not quite satisfied with the reason given by my hon. friend, that it will be difficult to get people to abandon their positions and sit on the commission if they are not given a fixed number of years. A government which has just come into power with a large majority should command sufficient confidence to induce people to sit on a commission for at least four years; so that it seems there is a moral guarantee on the part of any one who is approached to sit on that commission that he will have a tenure of office nearly as long as that which is mentioned in the Bill. I have not heard of any other reason than that given by my hon. friend.

Hon. Mr. LOUGHEED—I simply mentioned that as the reason given for making it five years.

The amendment was adopted.

On subclause 4,

4. A commissioner on the expiration of his term of office, shall be eligible for re-appointment.

Hon. Mr. LOUGHEED—This clause should be struck out now.

The subclause was struck out.

Hon. Mr. LOUGHEED—As to paragraph 'h' in the proposed amendment:

(h) the grounds, if any, for believing that articles in question can be produced as cheaply in Canada or elsewhere within a limited period;

I consider that is entirely unnecessary. The commissioners are empowered and required, under the preceding parts of the

subsection, to make inquiry as to the actual cost of production in Canada and elsewhere. That is in the Bill under 'b.' The duty of the commission will be to make an extended inquiry into the facts of the cost of production in Canada and elsewhere, and the facts that will appear from the evidence which they will obtain, would certainly be much more satisfactory than the grounds of their belief.

Rt. Hon. Sir RICHARD CARTWRIGHT —You may have all that evidence besides.

Hon. Mr. LOUGHEED—My right hon. friend will see that if they elicit facts and report on the facts, those facts will indicate what the grounds are.

Rt. Hon. Sir RICHARD CARTWRIGHT —No. It will save my hon. friend's time if I just mention what is actually the fact. On various occasions applications have been made to the government of Canada on behalf of a new manufactory about to be started, and it is very desirable to know if there is any reasonable ground for believing that such new manufactory, or whatever it may be, will ultimately be able to produce goods as cheaply as they could be produced elsewhere. That point is not covered by the instructions given to the commission, and it can do no harm, I think, to request that they should state whether there are good grounds for believing that the industry would be able to produce goods cheaply. As a matter of fact, over and over again things have been started, to my certain knowledge, in Canada which it was utterly and entirely impossible could ever be produced as cheaply here as they could be produced elsewhere. I know of cases in which parties have engaged in occupations, and it has turned out, owing to the conditions, that their money was absolutely and utterly thrown away—over and over again. The commissioners, who are presumably supposed to be experts and men of information generally, might give valuable suggestions to the minister when an application is made to him by parties who desire to start a new manufactory, whether there were any reasonable grounds for believing they could ultimately manufacture as cheaply in Canada as elsewhere; and the point is of importance, because nobody knows better than my hon. friend and his colleagues beside him that once a thing gets a footing on the list as a protected article, it is the hardest thing in the world to get rid of it. The permission should not be granted rashly, or without some time to ascertain whether any given industry of the kind will ultimately tend to the production of goods cheaply here. It is not covered by the preceding section. I do not think it can do any possible harm, although I do not care a great deal about it.

Hon. Mr. LOUGHEED—I desire to impress on my hon. friend as well as I possibly can the fact that the commission is not a commission to express their belief or opinion, but simply to elicit facts. They make an inquiry into certain conditions, and report to the government, and eventually to parliament, what the facts are concerning those particular conditions. Now, to open the scope of the inquiry and permit of the commission stating what their belief is, would be importing a very unsatisfactory factor into the matter.

Rt. Hon. Sir RICHARD CARTWRIGHT —Do I understand my hon. friend to tell us that this tariff commission will not state to the minister whether they think it would be advisable or not, to impose any additional duty?

Hon. Mr. LOUGHEED—No.

Rt. Hon. Sir RICHARD CARTWRIGHT —Of course the ultimate decision would rest with the minister, but they must report to him their opinion on the matter.

Hon. Mr. LOUGHEED—It is not the intention of the government that the tariff commission should have any opinion on these subjects. That is something for which the government must assume full responsibility.

Rt. Hon. Sir RICHARD CARTWRIGHT —You will greatly limit the utility of your commission if you lay down a rule like that.

Hon. Mr. LOUGHEED—My right hon. friend would be the first to criticise en-

trusting this commission with the right to give an opinion, or to interfere in any way with these responsibilities which constitutionally must fall upon the government.

Rt. Hon. Sir RICHARD CARTWRIGHT —I certainly would not give them any power.

Hon. Mr. LOUGHEED—My hon. friend must appreciate what the difficulty would be if they expressed an opinion as to an increase or a decrease of duty, if they were in conflict with the government.

Rt. Hon. Sir RICHARD CARTWRIGHT —They are subordinates of the government. If this commission is going to be any good at all, it has to inquire into the working of the tariff, and the innumerable applications which are constantly being made to the government, for alterations to the tariff —out of regard to my hon. frined's feelings I will not say increases. I cannot conceive it possible that, in the discharge of that duty, they can avoid expressing an opinion. I think they will have to express an opinion to the government and also to the country, through the meeting of parliament. Of course, neither parliament nor the government will be bound to take their opinion. I cannot see how you can make use of your tariff commission and at the same time render it impossible for them to express an opinion.

Hon. Mr. LOUGHEED—Let me illustrate it in this way. Let me call to mind a case which may be submitted to a judge for trial, and he referred certain findings of fact to arbitrators. The arbitrators make inquiry into certain facts. They do not express an opinion to the court as to what the court should do. The court takes the findings of the arbitrators, and upon these findings pronounce judgment. My right hon. friend will observe at once that if such bodies have the right to express an opinion, they will necessarily come into conflict at one time or another with each other. If they had the right to express an opinion, then the government would simply be a kind of appellate court, to pass upon the opinion of the commissioners. Can my right hon. friend imagine a report being brought down to parliament by this commission expressing an opinion which would not be followed out by the government.

Rt. Hon. Sir RICHARD CARTWRIGHT —I can imagine the government refusing to accept an expression of opinion. I cannot imagine this tariff commission fulfilling the objects that we expect to attain by it, unless they express an opinion. They may get around it by a curious presentation of evidence, but they undoubtedly will have to give an opinion. In England, over and over again, they have got officials, very closely answering to the tariff commissioners you propose to appoint. It is constantly the case, as every English politician knows, that the Chancellor of the Exchequer will ask these gentlemen for their opinion, and he will expect to get their opinion, but in a great many cases, he follows his own opinion, after hearing what they have got to say, and that I presume is what these men would do. However, I do not care a great deal about that; let it stand for the moment.

Hon. Mr. LOUGHEED—If my hon. friend will compare his proposed amendment with the paragraph already modified and particularly paragraph ' b ' he will find that it is almost in the same language. The paragraph reads:

Cost of production in Canada and elsewhere.

My right hon. friend's amendment is: ' The grounds, if any, for believing that articles in question can be produced as cheaply in Canada or elsewhere.'

Rt. Hon. Sir RICHARD CARTWRIGHT —' As elsewhere.' That is an error. I did not write ' or elsewhere.' No doubt if you provide for ascertaining what the condition of things is, presumably the existing condition of things would be to show that the goods cannot be produced in Canada at

this moment at all as cheaply as they can elsewhere.

Hon. Mr. LOUGHEED—Well, it involves an inquiry as to the cost of production elsewhere.

Rt. Hon. Sir RICHARD CARTWRIGHT—Almost invariably parties who came to us asking for an increase of duty—I am speaking of the actual facts—admitted as a ground work of their application that they could not, for a considerable space of time, produce the articles as cheaply in Canada as they could be produced elsewhere. That was the reason why they asked for a certain amount of protection, so that they might have power and time to build up what they were pleased to call their infant industries, some of which, to my certain knowledge, are fifty years old, a great many 33 years old, a great many of very nearly equal standing. But that is a distinct point. It is not a question as to what the cost is to-day, but whether there is any reasonable ground for believing that in the course of a few years they could produce their products as cheaply as they could be produced elsewhere. It is a practical point that comes up constantly before the Finance Minister of the day, or the Minister of Customs, or whoever may be charged with it.

Hon. Mr. LOUGHEED—My right hon. friend will observe that we provide that the inquiry shall be made, not only in Canada, but elsewhere.

Rt. Hon. Sir RICHARD CARTWRIGHT—But that is not quite meeting the point that I made. However, I am not very wedded to that. I am afraid that the information I would get out of the tariff commission on that point would scarcely be what I would call satisfactory, though I should like to have it.

Hon. Mr. CHOQUETTE—Clause 4 states that the commission shall report to the minister. Would that report be confidential, or a report which would have to be put on the table of the House within ten days of the opening of parliament? Because, if the report is confidential, I can quite understand it will facilitate the inquiry, but if the report is published, do not you think it would be pretty hard to get all the information you want as to 'a', 'b', and 'c', and all other points of the amendment?

Rt. Hon. Sir RICHARD CARTWRIGHT—They are very desirable to be got, though. If you look a little further on you will see that reports are dealt with in clause 6. It is to be laid before parliament, evidence submitted, &c.

The CHAIRMAN—We will take up the amendments.

Hon. Mr. BELCOURT—Are we to understand from the discussion that has just taken place between the two leaders that that report is going to be limited to simply furnishing a copy of the evidence taken by the commissioners, without any recommendations or any opinions? Because the Act calls for a report, is it to be simply a report of the evidence taken, or is it to be anything else or anything more?

Hon. Mr. DANDURAND—I would call the attention of my hon. friend to subsection 5 of clause 4 which says that the respective reports: 'Shall succinctly state the results thereof.'

Hon. Mr. LOUGHEED—Yes, the findings. The commission will make certain findings upon certain conditions, upon making inquiry into certain conditions; but that is an entirely different proposition from their expressing their belief, or their opinion, and I should say it would be entirely different from their making a recommendation, because a recommendation would be equivalent to their expressing an opinion.

Hon. Mr. BELCOURT—But I fail to see what they are going to do; they are either going to simply report the evidence, or they are going to do something more.

Hon. Mr. LOUGHEED—There may be a great volume of evidence. There may be a conflict of evidence, as there undoubtedly will be. The commissioners would make a finding upon that conflict of evidence, and consequently that, I apprehend, would be in view when subsection 5 of clause 4 was prepared.

Hon. Mr. BELCOURT—I have no doubt that would be the result, and I was led to ask the question of my hon. friend because I gathered from his remarks that the result might be different. It does not seem to me that it is possible for those commissioners to hear all the evidence and make a report without expressing an opinion. I do not see how a report could be made without expressing some opinion as to the nature of the evidence?

Hon. Mr. LOUGHEED—I draw a distinction between an opinion and a finding. There is a certain conflict of facts before us. That conflict comes in by reason of contradictory facts or contradictory positions being taken by the persons who may be examined by the commission. They must make some finding; they must make some report upon the situation or upon the conflict itself that confronts them, but as to expressing a belief, the Department of Finance, which will administer the Act, is very desirous that the belief of the commissioners, in contradistinction to findings of fact, should be eliminated—that they should not express a belief, or should not express an opinion. Their office and functions peculiarly are to make an inquiry into facts; then the government of the day has a certain responsibility, and must assume that responsibility, and so has parliament. The report containing those findings will be laid upon the table of parliament, and the responsibility of the government is, and the responsibility of parliament will be, to say what will be done as the result of those facts.

Hon. Mr. DANDURAND—In other words the government will retain supervision as to the policy, and the commissioners will not suggest the policy.

Hon. Mr. LOUGHEED—Precisely.

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes, but still what is the objection to the commissioners being entitled, or empowered—whichever way you like to put it—to ascertain whether there were reasonable grounds for believing that certain industries could not, in a reasonable space of time, be carried on as successfully here as elsewhere. What is the objection to that?

Hon. Mr. LOUGHEED.

Hon. Mr. LOUGHEED—Now my hon. friend goes on to another factor. My hon. friend eliminates then the question of belief, or grounds. I have been discussing that part of the amendment in which he speaks of the grounds, if any, for believing; that is, in the earlier portion of the amendment. To that we object, because we have something superior to grounds for believing; we have facts elicited after an extended inquiry.

Rt. Hon. Sir RICHARD CARTWRIGHT—You can have no facts until the thing has been in operation for a certain length of time.

Hon. Mr. LOUGHEED—Oh no, we are now dealing with the inquiry as to the cost of production, and with respect to paragraph (a), to make an inquiry into the 'price and cost of raw materials in Canada and elsewhere, and the cost of transportation thereof from the place of production to the place of use, or consumption'; and then we crown that by making a further inquiry as to the cost of production, having obtained all those factors of information—the cost of production in Canada and elsewhere. Now, having reached that point, we have a superior vantage ground to the commissioners stating their grounds of belief as to the cost of production in Canada.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am not asking for their grounds of belief as to the cost of production; I am asking for their grounds of belief as to whether, within any reasonable space of time, the cost of production in Canada can be so reduced that it shall not exceed the cost of production elsewhere. That is a plain point, and one that comes up constantly.

Hon. Mr. CHOQUETTE—I am not satisfied with all this explanation; I am not clear on the point, and I wish to be clear about this report. Clause 4 says that the commission shall report to the minister, and section 5 of clause 4 says that inquiries shall be conducted in such a manner, and the respective reports to be made pursuant to its provisions shall succinctly state the results thereof; and each report shall be accompanied by a copy of the evidence,

&c. Well, I wish to know, as I put the question already, if this report will be confidential, or as other reports which are put on the table of the House when they meet. Secondly, I wish to know if the reports mean only this, that the commissioners from time to time make reports without any comments or any recommendations on the evidence; because if they make no recommendation whatever, or no report as to their views on the evidence, there is no harm, and everybody would do as he likes on the evidence—he may read the evidence and choose what he thinks of it himself. But suppose that by this Bill they made a report and the three commissioners agree, for instance, that the duty on such an article is too high or too low——

Hon. Mr. LOUGHEED—The commissioners have no authority to do that, and it is not intended that they shall have anything to do with the increase or decrease of the duty.

Hon. Mr. CHOQUETTE—Perhaps they may not say straight that the duty is too high or too low, but suppose they indicate that the tariff is too high or too low, do you not think that trade may be disturbed, and speculations encouraged by this? Suppose they say that the production of steel and iron is such that the tariff is not as high as it should be, or that the bounties ought not to be given, or ought to be restored? Do not you think there is room for speculation there—speculation in futures? There is a great danger. So I should like to be clear on that, if the report to the minister will be a report giving their opinion and their recommendation.

Hon. Mr. LOUGHEED—No.

Hon. Mr. CHOQUETTE—Just an open report with the evidence put before the minister; and if they make a report how far have they a right to go on this point?

Hon. Mr. LOUGHEED—The modus operandi would be this—the commission would report to the minister in pursuance of the instructions as to the scope of the inquiry which they should make. Then it is for the minister to report to the Governor in Council as to what should be done touching the matter of duty.

Hon. Mr. CHOQUETTE—What will they do with the report? Is it their views or just their investigation?

Hon. Mr. LOUGHEED—They have to report on the facts of the inquiry. They are not going to make a recommendation; they are not going to express an opinion.

Hon. Mr. CHOQUETTE—I am satisfied with that.

Hon. Mr. DAVIS—Do I understand my hon. friend to say that they are going to report the evidence? Will they report the evidence to the minister without expressing their opinion on it? They will have to report their findings.

Rt. Hon. Sir RICHARD CARTWRIGHT—Perhaps it would save time if my hon. friend would run loosely over those amendments and see what he objects to, if any, and what he accepts, if any.

Hon. Sir MACKENZIE BOWELL—If the suggestions proposed by the right hon. gentleman are accepted and embodied in the Bill it will be in direct conflict with those who opposed the Bill in the House of Commons, because the contention there was, that these commissioners would be appointed for the purpose of giving opinions and recommending to the government an increase of duty. It has been alleged that the commission was for the purpose of aiding and abetting the Manufacturers' Association. As I understand it, the commission is simply for the purpose of exercising similar duties that have been performed in the past, of sending an official to inquire into the facts pertaining to an industry, in case an application is made for an increase in duty, as the right hon. gentleman has said. An officer is sent to ascertain the facts as to the cost of production in this country, the cost of production in the foreign country from which the goods are imported, and the expense of laying the goods down in this country. It can be ascertained from

the facts laid before the minister by the officer who has made the investigation, whether parliament will be justified in increasing or reducing the duty, and if the article can be produced in Canada and still enable the industry to exist, should the duty be decreased. The commission should have no power or right to express an opinion.

Hon. GENTLEMEN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—Should that opinion be laid before the House and the decision of the government be in opposition to the recommendation of the commission, then there would be a conflict between the government and the commission. The duty which this commission will have to perform, will be to ascertain the facts in connection with every industry existent, not only in Canada, but elsewhere, and report these facts to the government. The government then assumes the responsibility of increasing the duty or decreasing it, or putting the articles on the free list. I would not give the commission authority even to express their opinion, or to make any recommendation to the government. What would be thought of an official sent out to ascertain the facts that these commissioners are to obtain, who should come back and even recommend to the government what should be done, or should not be done, and have that placed upon record?

He comes back to the minister, as my hon. friend must know from experience, and lays before him the facts which he has obtained, and from these facts he forms an opinion as to what course should be pursued. There should be no shirking, directly or indirectly, of the responsibility of the government in making suggestions to parliament. When they increase or decrease the tariff it is their duty to give to the House a statement of the reasons for the position they assume, and those reasons would be based upon the facts obtained by the commission. A moment's reflection will show my right hon. friend that his suggestion embodied in this Bill of an instruction to the commissioners to give an opinion as to what should be done or should not be done, would mean, to a very great extent, the destruction of the object which the government has in view. The government should take the responsibility of acting upon their report, in the same manner as they would if they made the investigation themselves. During my occupancy of the position of Minister of Customs, I found it necessary often to go to the quarter from which complaint came and make an investigation into the fact, and very often I met a dozen merchants who had a discussion pro and con as to the tariff, and before they had been together fifteen minutes they were at loggerheads, and then the minister would have to come to a conclusion as to what course to pursue. That not only applies to the merchant who imports, but also to manufacturers. You have first to obtain the facts before you can adopt any policy upon which to base a tariff upon anything like equitable principles. I hope my hon. friend, on reflection, will not insist on having that clause added to the Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is quite clear that my hon. friend does not believe in a tariff commission at all, and that he would like very much that this should be done by a bureau of the Customs Department.

Hon. Mr. LOUGHEED—I propose to amend subsection 2 by adding:

And inquiry into such matter may include inquiry as to the effect which an increase or decrease of the said rate of duty upon a given commodity might have upon the trade.

With regard to 'j', inquiry as to the health of the employees is involved in 'd', but to put the matter beyond doubt, 'd' might be amended so as to read:

The cost, efficiency and conditions of labour, including the health of employees in Canada and elsewhere.

Rt. Hon. Sir RICHARD CARTWRIGHT—That is very good.

Hon. Mr. LOUGHEED—I might say, in the first place, so that my hon. friend might give it some consideration, that this amendment is made under a misconception, apparently, of the functions of the committee. The amendment reads:

Provided always that in all cases where the commission reports in favour of an increase of duty, or where any application for an increase is made the commission shall, in addition to reporting upon the above matters, make a special report which, in the case of any industry already established, shall state—

The premises are misconceived, because the commissioners have no such authority they will not report in favour of any decrease or increase of duty, and will not receive any application for an increase of duty, and therefore can make no report upon that subject.

Rt. Hon. Sir RICHARD CARTWRIGHT —That, I think, is almost an impossibility. The application may not be made to them, but it will be made to the government, and the government will direct the commission to inquire.

Hon. Mr. LOUGHEED—The commission will inquire into it. All the spheres of inquiry are set out in clause 4.

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend knows that, from the very nature of the case, a great portion of the commissioners' time, if it is to do any good at all, will be employed in making inquiries into the application to the government for increase of duty.

Hon. Mr. LOUGHEED—If it is not employed in that way it is no good at all. In that way it may be of some use. You may vary the phraseology as much as you please. The first two lines may be struck out. A, b, c, d, e, f, g, of the proposed amendments will involve so much discussion as to the wisdom of instructing a commission to make inquiry into the private circumstances and conditions of an individual or company as to make it a debatable point. I would suggest that some consideration might be given to that part before we go into committee again.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have not put this on the table at all with a desire to embarrass or to impede my hon. friend, but with an honest desire to improve the Bill.

Hon. Mr. LOUGHEED—I know that.

Rt. Hon. Sir RICHARD CARTWRIGHT —That if the commission goes to work, information should be obtained upon which a reasonable opinion could be formed, and most of these things, I think, he will find are, or ought to be, obtained by the government more or less through their bureau of statistics.

Hon. Mr. YOUNG, from the committee, reported that they had made progress with the Bill and asked leave to sit again.

THIRD READINGS.

Bill (98) An Act respecting the Canadian Pacific Railway.—Hon. Mr. Watson.

Bill (38) An Act respecting the Canadian Northern Railway.—Hon. Mr. Watson.

BILL INTRODUCED.

Bill (100) An Act for the aid and encouragement of Agriculture.—Hon. Mr. Lougheed.

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

THE SENATE.

FRIDAY, March 22, 1912.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

SITTINGS OF THE SENATE.

MOTIONS.

Hon. Mr. LOUGHEED moved:

That when the Senate adjourns on Friday next it do stand adjourned until Saturday, and that there be a sitting of the Senate on each succeeding Saturday during the remainder of the session.

Hon Mr. POWER—Do I understand that the hon. leader of the House takes the view that this motion means next Friday and not to-day.

Hon. Mr. LOUGHEED—This is dated March 20th and would mean to-day and would cover to-morrow.

Hon. Mr. POWER—The better way would be not to pass the motion.

Hon. Mr. LOUGHEED—Let the motion be put as of to-day.

Hon. Mr. DANDURAND—Then I understand we are not to sit to-morrow.

Hon. Mr. LOUGHEED moved:

That commencing on Monday next, until differently ordered, there shall be two distinct sittings of the Senate every day, including Saturday, 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.

Hon. Mr. THOMPSON—How will that affect sittings of the committees?

Hon. Mr. YOUNG—I would ask the hon. leader of the House to amend his motion so that committees will have permission to sit during any sitting of the House.

Hon. Mr. LOUGHEED—I should be very glad to add to that:

And notwithstanding any rules to the contrary, committees of the House be empowered to sit.

The Motion was agreed to as amended.

COLONIZATION RAILWAYS.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Can the government give the names of the colonization railways which have been granted the privilege of constructing their lines over unoccupied lands in the Railway Belt, in the province of British Columbia, by order in council passed 2nd day of December, 1911?

What is the date when such privilege or privileges were granted?

Hon. Mr. LOUGHEED—The answer is:

1. The Revelstoke and Arrowhead branch of the Canadian Pacific Railway Company, The Nicola, Kamloops and Similkameen Railway Company, The Canadian Northern Pacific Railway Company, Vancouver Victoria and Eastern Railway and Navigation Company, Vancouver Power Company, Limited. Such privilege was granted by order in council of the 2nd of December, 1911.

TRANSFER OF WATER RIGHTS.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

When does the government intend bringing down the legislation which they declared to be necessary to supplement the order in council passed the 20th day of December, 1911. Transferring the administration of the water rights in the Railway Belt of British Columbia, from the Dominion government to the provincial government of British Columbia?

What form will the legislation take?

Is the government aware that the provincial government published in the British Columbia 'Gazette,' of the 10th February, 1912, a notice for both the Yale water district, and the Kamloops water district giving the names of the lakes, streams and rivers in each of these districts which are supposed to be wholly or partially within the Railway Belt in each district, calling upon any person, partnership, company or municipality having any claim to water rights in the Railway Belt; to file a statement of claim to water privilege according to a certain form?

Can the government state what authority the provincial government has to deal with this question as it stands at the present date?

He said: Since I placed this notice on the order paper, a Bill has been brought down in the other House dealing with the question, and I should like to ask the leader of the government if it is the intention to press through this Bill at the present time?

Hon. Mr. LOUGHEED—I cannot give any information upon that subject. It has been introduced in the House of Commons and it is entirely in the hands of that House.

Hon. Mr. BOSTOCK—Under the circumstances I would like to let this mater stand for a day or two.

The notice was allowed to stand.

A QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—I wish to direct the attention of the House, and more particularly of the hon. leader of the government in this Chamber, to an unsatisfactory condition of things in the administration of the parliamentary affairs of Canada. In the first days of this session I asked the leader how and why it was that a very important section of the population was without adequate representation in the ministry of the day. I pointed out to him at the time that since the province of Quebec was ceded to the British Crown, the English Protestant minority of that province had always enjoyed at least adequate representation in the council of the nation. The hon. gentleman then replied to me that the matter would

be looked into and was under consideration. Evidently it has been under consideration and nothing has resulted from it. I do not want the hon. gentleman to answer me immediately, but I should like to know how it is that the government, after having been in power six months, remains incomplete. It has been exercising its powers under the constitution for six months without adequate representation in the cabinet. Why is it that one of the important positions in the government is not filled? It appears to me to be a bobtailed administration. The hon. leader would not wish this government to go down with the name of a bob-tailed government The position of Solicitor General is a very important one in the government, but it is not yet filled, and the government can either do without the Solicitor General or they cannot. Evidently they have succeeded in getting along without a Solicitor General for six months, and if they can get along for six months, they can do so for twelve, and so on. In that event, the office is unnecessary, and I ask if the hon. leader of the government in this House will advise his colleagues to abolish it. Further, I ask, how, and why is it that the demands of the former leader of the opposition, now the Prime Minister of Canada, are not respected? Why does he not respect his own opinion? Heretofore he desired that all vacancies should be filled at once, especially in the Senate and on the Bench. The country desires to understand the solution of these questions. I am putting these matters before the hon. leader so that he will be able to give us an answer the next time we meet.

How is it and why is it that the French Canadian population of this country have no representative on the floor of this House? I know that the hon. Speaker of this House persistently put that question to the government of the day for the seven years I have been in this House—how was it and why was it that no French Canadian minister was in this House to represent that important portion of the population. That is the fourth question. Of course I may point out to the hon. leader of this House that within the past month or so he has had several accessions to his party who would be fit and proper candidates for a position, even one equal to his own, that is, minister without portfolio. Take our friend from St. Boniface (Mr. LaRiviere), he might be an aid to the government in introducing his Remedial Bill next year.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. CLORAN—Then my next question is: How is it and why is it that the present government ignores the Senate? In the olden days of Sir John Macdonald, Sir Mackenzie Bowell, Sir John Thompson and all the others, the Senate was honoured to have the services of at least one, and sometimes two or three, active ministers of the day. The present government has been in power for the past six months and we have no responsible minister, though we have a very good active one without portfolio, and I think that the Prime Minister is overlooking the ability and capacity of the present leader of this House in not putting responsibility upon his shoulders. The Conservative party, which is supposed to uphold the institutions of this country, should look more to the dignity and the usefulness of the Senate by having some of their colleagues in this House in the ministry. I suppose that is a delicate point for the hon. leader of the government to answer; but I stand here to say that there is not one man in the cabinet to-day who is more worthy of bearing the responsibilities of office than our present leader in this House.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. CLORAN—All I have to say to him in closing is that, I won't say I sympathize, for the word is too vulgar, but I commiserate him on the fact that he has to stand here alone for the interest of the government against a phalanx of antagonists. I think the hon. the leader of the government ought to be surrounded by the warriors bold who have just come from the Commons. We have some good fighters from the old place, and they ought to gather round him and stand shoulder to

shoulder with him in fighting for the interests of the government. It is not my taste to have to badger and banter one man. I would rather fight a whole crew. Why should not the Hon. Senator Pope be the Protestant representative of Quebec? Why not take the hon. members Taylor, or Bell, or LaRiviere?

Hon. Mr. DERBYSHIRE—Put Taylor in Quebec?

Hon. Mr. CLORAN—I am talking from the bottom of my heart. I do not want to see ten or fifteen fighting one man who stands alone. Under the circumstances, I do not expect an immediate answer to my question, but I hope this matter will be brought to the attention of the government. If they would be strong in public opinion, and if they wish to have an active, and responsible representation in the Senate, they should fill the vacancies. They would be stronger before the public by putting a French representative on the floor of the House. Why not take the Speaker, he is one of the strongest men in the province of Quebec.

Hon. Mr. DERBYSHIRE—How could we spare the Speaker?

Hon. Mr. CLORAN—It is not in any spirit of hostility that I make these remarks.

Hon. Mr. GIBSON—I can well imagine that the leader of the government in this House is too modest to reply. I can sympathize with him in a different way. Everybody is satisfied in this House except the hon. gentleman who has just taken his seat (Hon. Mr. Cloran).

Hon. Mr. CLORAN—I do not like to fight one man.

Hon. Mr. GIBSON—I presume my hon. friend from Victoria Division (Hon. Mr Cloran) acts on the idea attributed to the Irishman, that wherever an Irishman sees a head he should hit it. If there is anything obligatory about appointing a member of this House to the government, the duty of calling attention to it should be upon the leader of the Senate. If he fails in his work, he has only to say to the government that he has too much to do. While I have been in this House I have failed to observe any one occupying the position he fills to-day, who has succeeded better in commanding the respect and doing the work in a satisfactory way than the hon. member from Calgary.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. GIBSON—He is easy to approach, everybody can see him, and everybody loves him.

Hon. Mr. DERBYSHIRE—Hear, hear.

Hon. Mr. GIBSON—I would not have risen had I not known that he was too modest to do so himself. I think it ill becomes our friend on the opposite side to name anybody for his position. It ill becomes him to suggest that he requires assistance. It ill becomes him to say the hon. gentleman is incapable of conducting the affairs of this House. All the complaint that my hon. friend has is that there are not two or three ministers in order that he might make speeches to every one of them. Thank God for that. That is our earnest prayer.

Hon. Mr. CLORAN—I am glad to see my speech has brought forth fruit. I never expected a Liberal would stand up to defend a Tory leader.

THE LATE SENATOR A. A. MACDONALD.

Hon. Mr. LOUGHEED—Before we proceed with the Orders of the Day, it is again my duty to say to the Senate that we received the sad and unexpected news yesterday of the death of another of our colleagues. I refer to the late Senator Macdonald of Prince Edward Island. During the last few months death has been more than ordinarily busy in reaping its harvest among the members of this Chamber. The late Senator Macdonald had been a sufferer for the last four or five years, and during that time we were deprived of his valuable services in this body. He had arrived at a ripe old age, having passed four score by some few years. He led a useful, busy and honourable life, and was a member of the Senate since 1891. While

we have been called upon during the last few months to mourn the death of many members of this body, on account of their long public service in the Dominion of Canada, I doubt if any of our late departed colleagues, during the present or last session, had been in public life for such a long period, as the late Senator Macdonald. He entered the political activities of his native province in 1853, nigh to 60 years ago, and apparently was actively engaged in that long period promoting the best interests, not only of his native province but of this Dominion.

He served his native province as Lieutenant Governor. He entered this Chamber over twenty years ago, and is, with one exception, the last of the fathers of confederation. The only surviving member of that very notable body, Sir Charles Tupper, is living today, having reached a ripe old age. It is unnecessary to say anything of the personal attractions of the late Senator Macdonald during his lifetime. He was one of the most courteous gentlemen that we have had in this Chamber, and endeared himself, I think, to every one of its members. Few men had a higher sense of that honour and justice and of all the virtues which should appertain to humanity than the late Hon. A. A. Macdonald.

He was respected, honoured, and beloved in his own native province, and those who knew him best will certainly miss him most. I am justified in saying that he was one of nature's gentlemen. I further feel assured that this Chamber will sympathize, not only with his native province in losing so prominent a son as the late Senator Macdonald, but with the friends of his immediate family, in the loss and bereavement which they have been called upon to suffer.

Rt. Hon. Sir RICHARD CARTWRIGHT —I had not the pleasure of an intimate acquaintance with the late Senator Macdonald, but what slight acquaintance I had fully bore out the remarks made by my honourable friend opposite. In any case he was one of those men who invariably, in his own person, lent dignity and weight to the deliberations of this body, and from all I have heard, I believe he was for a very long time a most useful and conspicuous public servant in the province to which he belonged. It was, in point of fact, in the Island of Prince Edward, I believe, that the first conference—having at that time in view the union of the maritime provinces—took place. I think it was to Charlottetown, in the first instance, that the delegation from Quebec and Ontario, headed by Sir George Cartier and Sir Alexander Galt and Mr. Brown, repaired in the first instance. Later on I believe Mr. Macdonald took part in the deliberations of the general conference, and although at that time Prince Edward Island did not choose to enter confederation, no doubt he paved the way for its ultimate absorption by the Dominion. I entirely concur in the remarks of the hon. gentleman in regard to the loss we have sustained in the death of the late Senator Macdonald, and I have no doubt his remarks will be conveyed to the friends of that gentleman, and to the people who knew him so well, and whom he represented so long.

BILL INTRODUCED.

Bill (123) An Act to amend the Yukon Act.—Mr. Lougheed.

THIRD READING.

Bill (140) An Act to amend the Fisheries Act.—Mr. Lougheed.

IMPROVEMENT OF HIGHWAYS BILL.

DEBATE CONTINUED.

The House resumed in Committee of the Whole consideration of Bill (77) An Act to encourage and assist the Improvement of Highways.

(In the Committee).

On clause 3,

The Governor in Council may, in any year, and upon such terms and subject to such conditions as are prescribed by order in council, grant to any province in aid of the improvement of existing highways or bridges, or the construction of new highways or bridges, in such province, or for all or any such purposes, a subsidy not exceeding such sum as may in such year be voted by parliament for that purpose.

Hon. Mr. LOUGHEED—I am still of the opinion, which I expressed yesterday, as to the unsatisfactory character of the amendment moved by my hon. friend from Halifax (Mr. Power). I regard it as open to all the objections which I pointed out yesterday. With all due deference to the contrary opinion which has been expressed, section 3 should be accepted by this Chamber. The preamble of the Bill sufficiently indicates that the intent of the government is that this aid should be distributed amongst the various provinces. I refer to line 8, in which the statement is made 'And for the purpose of giving assistance to the various provinces of Canada.' I need not go over the remarks which I made upon the second reading of the Bill as to its object, and the desirability of reasonable confidence being placed in the administration of this law by the government of the day. The country is fully safeguarded by the fact that every province is represented in the House of Commons, that House having charge of the supplies, and the amounts being voted for this particular purpose. I mentioned yesterday that a subsidy would be brought down during the present session, made divisable amongst all the provinces upon a basis of population, and whatever aid is granted to the provinces will be entirely in the hands of the representatives of the people in the House of Commons, representing every province in the Dominion. The government feels that its hands should not be tied, and a want of confidence expressed by a hard and fast line being laid down as to how this Act should be worked out. I pointed out, when introducing the Bill, that it was simply a declaration of policy, and would have to be developed in its being worked out between the various provinces and the central government. Inasmuch as during the present session of parliament the estimates will make provision for a proportionate distribution of whatever sum is voted, on the basis of population, this chamber should accept this Bill in its present form.

Hon. Mr. DANDURAND—I wonder why we should quarrel over this amendment of the hon. member from Halifax (Hon. Mr. Power) when we all agree to the principle which it carries into the Bill. My hon. friend says it is in the preamble. The preamble does not bind the government; it is the enactment that binds the government. Yesterday I pointed out to my hon. friend that we may take for granted that the policy, as expressed by himself and by his leader in the House of Commons, will be carried out by them. I have in advance stated that I fully accept the declaration that this principle will be adhered to.

But it only binds the hon. leader of the government and his representatives in the Chamber, and unfortunately they are human beings with an ephemeral political life, and here we are with a law which will be embodied in our statute-book, which will remain as long as it pleases parliament to maintain it there, and my hon. friend says, 'Take our word as to the way this Bill will be carried out.' My hon. friend speaks of the possibility of members of this Chamber doubting the good faith of the present government. How can he say that when we leave the present government, absolutely master in dictation of the conditions which will surround every contract with each province? Absolute discretion and a free hand are given to the government. We only say, 'You will apportion the appropriation among the provinces. You shall not pay it to each province absolutely and without condition. If any province does not accept the conditions the government imposes upon it, that province goes without subsidy. If it happens, for instance, that the federal government declares that not one dollar will be paid by this treasury to any province that did not put in any similar amount, then the province which could not afford to make that payment would go without a federal subsidy. Absolute discretion is left with the government to surround the grant with any kind of conditions it may lay down. The only limitation, or the only safeguard, is contained in this amendment that those payments, when made to the provinces shall be paid according to population.

Hon. Mr. LOUGHEED—Let us assume for a moment that the government did not introduce this Bill, but simply stated to the

House that it was their intention to introduce, session after session, in the Supply Bill certain amounts for distribution amongst the provinces, and made those amounts divisable. Would not that be accepted?

Hon. Mr. POWER—No.

Hon. Mr. CLORAN—No.

Hon. Mr. LOUGHEED—Would hon. gentlemen in this House have anything to say about it—I mean to say, if it were simply put in the Supply Bill? My argument is that the government has authority vested in it by the House of Commons to put in the Supply Bill the amounts which will be voted this year for distribution amongst the various provinces for several purposes, entirely irrespective of this Bill. That could be put in the Supply Bill.

Hon. Mr. DANDURAND—Yes, the government could do so. There we would have the distribution to each province according to a certain principle and in proportion to the population. I consider that it would be simply increasing the federal subsidy to the provinces without any explanation and without any safeguards. This legislation is of very doubtful constitutional authority. I will not go over the ground that has already been covered so ably by the right hon. gentleman who leads the opposition in this House, but when this departure is made and the Bill is brought down, it seems that it is the duty of this Chamber to see that the principle of equality shall be maintained as be-between the provinces.

Hon. Mr. BELL—It is quite evident that there is a great deal of importance attached to this measure by the gentlemen who are opposing it and seeking to amend it.

Hon. Mr. POWER—And by the government, too.

Hon. Mr. BELL—And by the government as well, of course, and it is a little difficult to understand why such solicitude exists as to this particular measure.

Hon. Mr. CLORAN—Because it is spending our money.

Hon. Mr. BELL—This year the government will have estimates amounting, I suppose, to upwards of one hundred and fifty millions, possibly one hundred and seventy millions. They have voted some twenty-five millions or more in railway subsidies. I do not know what the total vote will amount to in connection with this Bill, but it may be seven hundred thousand or eight hundred thousand dollars—comparatively insignificant in proportion to all the estimates of the year. Yet, while the gentlemen in this House do not seek, and would not consider it practicable, to dictate to those who control the government of this country the manner in which they shall expend the one hundred and seventy or the one hundred and seventy-five millions of dollars, they single out this comparatively small vote and seek to establish a control over the government of the day which they do not propose to themselves to set up in any other matter. Now, why is it?

Hon. Mr. CLORAN—It is outside of their jurisdiction.

Hon. Mr. BELL—Why is it that in this one matter alone, apparently, the opposition, and the opposition in the Senate, undertake to control the government of the day?

Hon. Mr. CLORAN—It is outside their jurisdiction.

Hon. Mr. BELL—There is nothing more familiar to us—that is those of us who have been in public life for a long time—than the fact that the government cannot be controlled by an opposition; that the administration of the government cannot be carried on by an opposition; that, in so far as the finances of the country are concerned, the government, by our constitution, is made absolute. This body could not amend——

Hon. Mr. BELCOURT—Does the hon. gentleman mean that we are not allowed to criticise this Bill?

Hon. Mr. BELL—Not for a moment.

Hon. Mr. BELCOURT—Then what does his language amount to?

Hon. Mr. BELL—I do not suggest that for a moment, but I say as far as a money Bill is concerned——

Hon. Mr. CAMPBELL—This is not a money Bill.

Hon. Mr. BELL—It is not, but it involves the expenditure of money.

Hon. Mr. CLORAN—They all do.

Hon. Mr. BELL—And so far as that is concerned, the opposition is seeking to control, absolutely, the manner in which the government is going to proceed with that expenditure. Now, that is a perfectly futile attempt, as far as I can understand. The hon. gentleman who spoke a moment or two ago, suggested that by the language of the Bill, the government of the day are in a position to determine absolutely, the terms and conditions upon which this money shall be expended.

Hon. Mr. DANDURAND—Does the hon. gentleman object to the principle that it is to be divided equally in proportion to the population of the provinces?

Hon. Mr. BELL—No, I do not, and I think we have reason to infer, from the language of the representative of the government here, that that is the principle that is going to be adopted.

Hon. Mr. DANDURAND—Then what is the objection to incorporating that principle in the Act?

Hon. Mr. BELL—Because that is not a principle; it is merely a matter of practice; it is the manner in which it shall be distributed. Now, let us consider the extraordinary attitude of the opposition in that respect. Here is the government voting over twenty millions of dollars in railway subsidies.

Hon. Mr. DANDURAND—That is its function, and under the constitution it is right.

Hon. Mr. BELL—Has the opposition here told the government that it shall vote those subsidies to the several provinces in proportion to the population of those provinces?

Hon. Mr. CLORAN—No.

Hon. Mr. BELL—No, not for a moment.

Hon. Mr. POWER—But the government measures show just how they are going to spend the money.

Hon. Mr. BELL—And you cannot criticise it, but in this measure you want to come in and dictate to them beforehand how they shall do it.

Hon. Mr. CLORAN—That is what we propose to do.

Hon. Mr. BELL—That is what you cannot do, and nothing can do it. The government can do just as it likes. It can make such terms as it pleases—the Bill says so—and it would be just as sensible for half a dozen shareholders to undertake to control the directors of a bank in which they held stock as for us here to direct the government how they shall make certain exepnditures.

Hon. Mr. CAMPBELL—Then we had better go home.

Hon. Mr. BELL—Not at all; we have a right here to discuss this matter as much as we please, as we are doing now, and I am taking part in that process. What I feel is that it is absolutely ineffective to seek to control and tie up the hands of the government in any manner whatever. It never has been and cannot be done. Now why should we confine this to a certain money vote? In the course of construction, millions of dollars will be voted for all sorts of public works, public buildings, wharfs, dredging of rivers——

Hon. Mr. CLORAN—That is all right.

Hon. Mr. BELL—And that is to be apportioned to the several provinces and to the several constituencies in those provinces precisely as the government shall determine.

Hon. Mr. DAVIS—It is all voted for certain works.

Hon. Mr. BELL—Why do we not start in here at once, if we are going to assume the job of controlling the government, and tell them that they have to apportion their grants to the several works in the several provinces in proportion of the population of those provinces?

Hon. Mr. DAVIS—Does my hon. friend think that, if they voted a million dollars in the other House for a public building, that they could go and put it where they liked?

Hon. Mr BELL—What would the Senate have to say about it? Since my hon. friend is so fond of asking questions, let him answer that. The Senate would have to pass it if it came here. If the government had the confidence of the House of Commons and succeeded in putting its vote through that chamber, and that measure came over here, you would have to vote for it, or reject the whole Subsidy Bill. That is your only choice.

Our friends have given this matter very little attention and consideration. They seek out this one particular vote and discriminate it from all the other expenditures during the year, and undertake, in reference to this comparatively insignificant vote, to dictate to the government the manner in which it shall apportion this money among the different provinces of Canada. To my mind that is an extraordinary procedure. We have a right to express our opinion about everything the government does. Now we are asked to dictate to them what they shall do with the moneys to be apportioned under this Bill. The government are in the majority in the House of Commons, and rely upon that majority for their existence, and by that majority they proceed to do the business of the country. It would be quite proper if there is anything unconstitutional or improper done, that the whole Senate should stand up as one man in protest. I presume the Senate would do its duty in a case of that kind. We have allowed all the appropriations of the year to pass with the exception of this one item, and with respect to this item we are undertaking to say to the government: 'We won't trust you'. We disregard the fact that the government is controlled by public opinion, that all the provinces are represented in the House of Commons, and that all the provinces are represented in the cabinet. We disregard all these features of the protection which every province enjoys, and we say to the government: 'We have no confidence in you, and we insist that, as far as this particular Bill is concerned, the money shall be distributed in proportion to the population of the provinces, and it shall be paid to every one of them. The Bill says it may be paid to any province, and if to any one province why not to all the provinces?

Hon. Mr. BOSTOCK—It does not say so.

Hon. Mr. BELL—It says it may be paid to any province, therefore it may be paid to all the provinces. The language of the Bill gives the government the power.

Hon. Mr. KERR—Or it may be paid to any one province.

Hon. Mr. BELL—Or it may be paid to any two provinces. There is no reason in the world why the government should discriminate against any province. Why should we think the government is not going to do right in respect to this matter, or why should we expect that any government in Canada should submit to dictation in respect to a matter of this kind which in itself involves an insinuation that the government is going to act in an improper manner, and to favour one province at the expense of another? Why should we put upon our proceedings such a charge of want of confidence, and why should we do it in respect of this particular Bill?

Hon. Mr. DANDURAND—Does the hon. gentleman think this law is made simply to be applied by the present government,

or is it to be administered by the government of Canada whatever it may be ?

Hon. Mr. BELL—As long as it is not repealed, it may be in the power of every government to proceed with the expenditure. It is only in the first instance that this government will proceed to make the appropriations. If the experiment is found satisfactory, I presume it may be continued. It is well known that the government of the United States has adopted this mode of promoting the construction of good highways. It has been in operation a good many years. Any one who knows the condition of things in the smaller provinces realizes that some assistance is required. For instance, Nova Scotia has voted some $200,000 for road purposes. It has a deficit of $170,000. It has evidently borrowed all, or nearly all, the money which is to be devoted to road purposes. It is quite evident that the financial condition of the majority of the smaller provinces is such that they must obtain assistance. Our treasury is abounding and overflowing.

Hon. Mr. DAVIS—The cuckoo song.

Hon. Mr. BELL—Why should the federal government not come to the assistance of the provinces when they require it ?

Hon. Mr. DAVIS—Give it to the provinces and let them do what they like with it.

Hon. Mr. BELL—Shall we add to the subsidies of the provinces per head ? That would simply be to increase those subsidies. It might be done equally and fairly. It may be necessary to do it; we do not know as to that. But here the government desire to afford a certain amount of assistance to each of the provinces, and they limit its application to roads. Instead of paying $100,000 to the provincial government of Nova Scotia and letting them put that into their general fund and appropriate it as they please, the government of Canada takes the power to give them, say, $100,000, and to provide that that shall be applied to highway building and nothing else. What is the objection to that ?

Hon. Mr. POWER—That is all right. The amendment does not hinder that.

Hon. Mr. BELL—The amendment is a deliberate charge that the government of the day is not going to do this thing fairly. It says 'We cannot trust your efforts in regard to this six or seven hundred thousand dollars. We do trust you in respect to everything else. You can spend $170,000,000 this year and we shall not dictate to you, but when you come down to this apparently small appropriation, we cannot trust you.' Why should we do that ? Is it worth while? If you make that change in the Bill, what have you added to it ? Nothing to give it any force. The government has the absolute power to do precisely what the amendment asks for, and the representative of the government tells us precisely what the government is going to do.

Mr. DANDURAND—Then why object?

Hon. Mr. BELL—Then you say : 'We wont trust you, we want an instrument signed, sealed and delivered, binding you to a certain course of action.' There is no doubt at all the Bill takes power to grant the money to the several provinces, even if those provinces fail to implement, on their part, the expenditure, because in the last section of the Bill the central government is enabled to go and do that work in the various provinces after arrangement has been made with the provincial government. There is every guarantee that the provinces will get fair play except this one humiliating signature to a dishonouring bond which you are asking us to hand to the government, and why should we demand it? I know, and my hon. friend from Halifax knows, how our province is situated, and how important it is that our railway system should be supplemented and made complete by highways—most important of all things in the world to that farming population about which our neighbours appear so solicitous, and here is a tentative experimental measure, the first step ever taken in this direction by a government of Canada, and the Senate endeavours to attach a humiliating condi-

tion to the Bill, and to hamper the hands, and impede the action of the government in administering this most important measure. Therefore, I say, to my mind we cannot effect anything by continuing the discussion. If the opposition are determined to put this limitation on the action of the government they may do it, but it does not coincide with my view that the opposition, which merely looks on while the government expends an enormous amount of money without any such condition being attached to it, should seek to control the power of the government in reference to a comparatively small item. Our friends on the other side are in a mental attitude which I cannot understand; no opposition can govern any country?

Hon. Mr. CLORAN—Not govern, but direct them.

Hon. Mr. BELL—And no government can be prevented from governing a country in the manner in which it is justified in governing it.

Hon. Mr. POWER—The doctrine laid down by the gentleman who has just spoken is the most extraordinary that has ever been preached in a British parliament. He undertakes to say to this House that they are bound to accept any decision that the government may come to.

Hon. Mr. BELL—Oh, no.

Hon. Mr. POWER—That is just what the hon. gentleman has said. He said the opposition cannot control.

Hon. Mr. BELL—I was speaking of the administration of the government—the administrative and executive acts. That is what I was talking about. We can discuss everything that is done.

Hon. Mr. POWER—I am certain the hon. gentlemen on the other side of the House felt just as clearly and as fully as hon. gentlemen on this side of the House that the amendment proposed yesterday to the third clause of the Bill was a right and proper one. Every one must have been struck by the weakness of the reply made by the leader of the government. That hon. gentleman when he has a good case, is perfectly well able to make it clear to the House, but the hon. gentleman failed completely to show any reason why this amendment should not pass; and if any further evidence were needed to show that this is a right and proper amendment, it is the extraordinary speech delivered by the hon. gentleman from New Glasgow. It must be borne in mind that the hon. gentleman repeated the declaration, made more than once by the hon. leader of the House, that the intention of the government was to divide this money amongst the provinces in proportion to population. Any man of common sense would feel that if that were the honest intention, the government could have no objection to an amendment which simply embodied what they declared to be their intention. What does the hon. gentleman want us to do? He simply wishes us to give the government a blank check, to sign that check, and let them fill it in just as they please.

The hon. gentleman talks about showing want of confidence in the government. I was rather careful, when I moved the amendment, to intimate that I had no doubt the intentions of the government were good and honest, but that another government might come in, a king might arise who 'knew not Joseph,' and might make very improper use of this power. Hon. gentlemen know what Burns says:

> For oh, mankind are unco' weak
> And little to be trusted,
> If self the wavering balance shake
> 'Tis rarely right adjusted.

Rt. Hon. Sir RICHARD CARTWRIGHT—We should not be led into temptation.

Hon. Mr. POWER—The Speaker prays every day that we may not be led into temptation. The object of this amendment, to a certain extent, is to keep the government out of temptation. This amendment simply carries out the intention of the government. It was stated in another place that the measure was crude, and hastily prepared. The peculiar function of this House is to prevent the passing of mea-

sures in a crude and unsatisfactory condition. We are simply trying to put this Bill into the shape in which I have no doubt, it would have been framed by the government if they had had time to devote to the work. Hon. gentlemen have said that we have to trust the government in the expenditure of the untold millions which appear in the Appropriation Act. The hon. gentleman must remember that in the Appropriation Act we get all the items. It sets out how every dollar has to be spent, and where it has to be spent. There is no blank cheque about the Appropriation Act. The hon. gentleman from Pictou (Hon. Mr. Bell) admits that under this Bill the government could select one province for special favour, or two or three provinces. We should be wanting in our duty to the various provinces if we allowed this measure to go through in such a shape that it would be possible to favour one province as against another. I think there are a number of hon. gentlemen sitting on the government side of this House who will find it very difficult indeed to vote against this amendment.

Hon. Sir MACKENZIE BOWELL—The doctrine laid down by some of the hon. gentlemen who have just spoken has been rather a surprise to members in many respects. The question of want of confidence strikes me in this manner: The government proposes to make an appropriation of money for certain purposes. They have announced their intention of distributing that money in a certain way. The amendment which is proposed is tantamount to saying: We have no confidence in the declarations which have been made, both in the Commons by the Premier and by the gentleman who introduced the Bill, and by the leader of the government in this House. You have told us that you propose to distribute this money in proportion to the population of the different provinces. We do not believe you. We will bind you to that declaration for fear that you may be misleading the public and misleading the House. Hence we will attach to that Bill a proviso compelling you to carry out what you promise. I am quite sure in the other House it was accepted as a vote of want of confidence. Apart from that I am not in accord with some remarks that have been made on this subject. The hon. gentleman who moved this amendment says that every one in the Senate approves of the Bill, and the manner in which it proposes the money should be distributed. I differ from that position altogether. There may be, in the distribution of this money for the purpose of improving the roads in the different provinces, a greater disposition in one portion of the Dominion than in another to expend a larger sum. Perhaps, being a representative from Ontario, I should not take that position; it having the largest population of any province it would necessarily receive the largest amount of money. We hear a great deal of the necessity for having roads and railways in the great Northwest to enable the producer of grains to reach the depot by which these commodities can be sent to market. We were told the other day that some have to drive fifty, sixty and one hundred miles before they can reach a railway station. If we are desirous of developing that country in the way it should be developed, the government should not be restricted as to the manner in which they should dispose of this money, so long as it is done equitably. If it is not distributed equitably, the government become responsible to the people and can be condemned by them. I am giving my own individual opinion upon these points. I am not discussing just now the propriety of appropriating any amount of money. Supposing the Senate should so amend this Bill as to render it impracticable in its working, and supposing the government, after considering the whole question, should decide to abandon the policy involved in this Bill, they can then do precisely as the late government did in dealing with the Drummond County railway scheme. The Senate, by a large majority, rejected that proposition, because they thought it was extravagant in its character, and for many other reasons. Notwithstanding that, the government carried on negotiations with the Drummond County railway directors and placed a sum in the estimates sufficient to enable

them to carry out heir project and it came to this House, and in order to reject the whole Supply Bill, not having the power to amend the Bill, we had to accept it in its entirety. The government proceeded with their scheme just as if the Bill had not been rejected by the Senate, only in another way, by putting a sufficient sum in the estimates in order to enable them to carry out their policy. After consideration, and after a year or so had passed around, another scheme was evolved and the Senate accepted it and the original scheme under different circumstances, provisions and terms was adopted. The present government can do precisely the same thing, if this Bill is so amended as to render it in their opinion objectionable, or destructive of what they consider their policy. All they have to do is to drop the Bill and put a sufficient sum in the estimates to carry out the purpose which this Bill is intended to accomplish.

Now it does seem to me that, unless the Senate in its wisdom has no confidence in the declaration of the Premier and other members of the government, both in the Commons and in this House, they might allow the responsibility to remain with the government in order to carry out a policy which they believe to be in the interests of the people generally. I should not be very much surprised, in view of the manner in which the amendments propose to tie them down, if the government decide to adopt the policy that I have indicated. If I were a member of the government, I certainly would recommend them to do so. I am pointing out to this House how the government can carry out their policy so long as they have the confidence of the representatives of the people in the House of Commons, and so long as the Senate permits the passage of the Supply Bills which may be laid before them. So that it is for the Senate to say whether they will persist in the proposed amendments. I remember distinctly the cautious manner in which my hon. friend from Halifax introduced his amendment, but that does not change its effect at all. It may be that a succeeding government, which is in the far distant future—I hope it is, and I think there is every probability of it—may not be so honest as this government, and may be disposed to expend moneys in an improper way; but I cannot conceive it possible that any government intends to make this an annual grant. It must depend in a great measure, indeed altogether, upon the resources of the country. You may have a large surplus to-day and the revenue may continue to increase for years, then the time may arrive—past experience justifies what I am saying—when there will be no surplus, but a deficit. It is not at all probable that a government with a deficit would come down and ask for the appropriation of a sum of money for purposes that are not absolutely necessary, and are only given under certain circumstances for certain purposes to aid the different provinces. I must beg to differ from my hon. friend who has just spoken as to the constitutionality of this measure. The government of the day have the right, and exercise it every session, of placing in the estimates a sum of money for any purpose they please, with the intention of handing it over to any province, or any individual, for expenditure and disposition. It is for the House of Commons to say whether or not they will consent to that, and it would be for the Senate to say whether they would reject a proposition of that kind or not. The whole thing is in the hands of the people. The government are responsible for whatever they may propose; if the Senate have no confidence in the declaration of the government that they propose to expend the money in a certain way, they may defeat the Bill.

Hon. Mr. THOMPSON—This measure involves interests very important to the several provinces of the Dominion in respect to a matter which comes very closely to the people who do the work of the country and produce the revenues of Canada. I quite agree with what the hon. gentleman has just stated, that if they put an appropriation into the Supply Bill and it comes to us in that shape we would hesitate about throwing the Supply Bill out to prevent the passage of the grant for the purposes they named.

Hon. Sir MACKENZIE BOWELL—No doubt about that.

Hon. Mr. THOMPSON—But when it comes to us in this shape, and it is not in the Supply Bill, it is open to us to express our judgment, and opinion, and change any features of the Bill that, in our judgment, do not do justice, or serve the purpose for which the measure was intended. We are not attempting to tie the government up, as my hon. friend who has just sat down said. If I understand the situation at all, and I think I do from having read the discussion in the other House, the very amendment that is suggested to be placed in this Bill originated with the government itself, and if there is a duty for this Senate to perform, it is not so much to care for governments, or protect the interests of governments, or of the party in power, but as a judicial body to protect the common interests of the people.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. THOMPSON—In a matter of this kind, when it is not proposed to build all the roads, but just as a matter of assistance to the several provinces towards road construction, I think there is no fairer way that this matter could be dealt with than that the money be divided on the basis of population. I am not aware that this government understands the building of roads any better than do the people in the provinces. I do not know that governments are made particularly for taking charge of highways, or the making of highways and the setting out of conditions and plans on which this money should be spent. I think the people of the different provinces would feel that, in a measure, they were receiving something in the way of charity from the federal government, as though the Dominion authorities understood how to construct roads better than the people in the several provinces. In our province of New Brunswick we have had, for sixty years, municipal councils and all the machinery necessary to take charge of and construct our roads, and I venture to say that there is no experimental knowledge in the hands of the government of Canada, individual members of the government or of the departments of the government that enables them to better understand the construction of ordinary country roads than is possessed by the people in the several maritime provinces.

Hon. Sir MACKENZIE BOWELL—No doubt about that.

Hon. Mr. THOMPSON—We have some good roads there. You must not think that we travel on horseback in that country now. Our roads, in a measure, are in fair condition; all we need is more money, and there is no reason why any appropriation of money should not be devoted towards assisting roads, as suggested by this amendment. We do not interfere with the expenditure of the money. The second, third and fourth clauses of this Bill provide that the government shall make the conditions, and enter into an agreement to treat with the members of the government of the several provinces, and the money is to be expended under such arrangement or agreement. All we ask is that when the appropriation is made by parliament that money shall stand to the credit of the several provinces of the Dominion on the basis of the population. My hon. friend from New Glasgow (Hon. Mr. Bell) would open the door to governments to do practically as they pleased without comment or consideration. In respect to the public buildings that are being constructed all over the Dominion, he said that money was not divided on the basis of population. But we know that that money is appropriated by specific vote, and every dollar that comes to us, except in the contingent account, comes to us named for a specific service. The doctrine he lays down would permit of us meeting in parliament and saying to the government of Canada· 'How much money do you want?' '$170,000,000.' 'Put it in a lump and get out and spend the money as you like.' That certainly is not the doctrine of responsible government, and the members of the House of Commons would not support any such doctrine as that. In this amendment we are asking nothing more than has already been stated by the hon. leader of this

House to be the intention of the government to carry out in respect to appropriations under this Act. In doing that we are not expressing any want of confidence in the government, but only giving to the people of the several provinces an assurance that the Senate is discharging its duty, and wishes to protect the interests of the several provinces. The representation of the Senate is not based on population, and if there is a body that should be responsible for seeing that the people are properly cared for in matters of this nature, I think it is the Senate. In amending this Bill in so far as has been suggested by the amendments proposed, we are practically saying to all the provinces that when the appropriation is made, the assistance will be given to each of the provinces based on population. Personally, I have no disposition to hamper the government. I do not think we are here for that purpose, but rather for the purpose of expressing our judgment, and in so far as we believe it to be our duty, to so assist in the framing of measures, passed through this branch, that we will feel that we have discharged our duty to our county and the responsibilities of the position we hold.

Hon. Mr. CLORAN—I cordially and heartily agree with the member from Halifax in regard to the strictures he passed upon the very remarkable statements and pronouncements of the new hon. member for Pictou (Hon. Mr. Bell) in regard to the responsibility of parliament and of the government of the day. If we were to take the word of that senator as parliamentary gospel, the Senate might as well pack up its valise and go home, and the House of Commons likewise. In his judgment, the fourteen or fifteen men who compose the cabinet of the government of the day, are the only ones responsible for the conduct and administration of affairs in this country. Surely when the hon. gentleman wakes up to-morrow morning and reads these remarks, he will conclude that he was in a dream, or that he knew nothing of constitutional history under the British Empire or under any other constitutionally governed country. Neither branch of a legislative body, such as the parliament of Canada, composed of a lower House and upper House, such as that of the United States composed of a House of Representatives and a Senate, such as that of Great Britain itself composed of a House of Commons and a House of Lords, and such as France, composed of a Chamber of Deputies and a Senate—nobody ever asserted on the floor of any of those assemblies that we were to be tails to the administrative body of the day. Still the hon. gentleman has the courage to come here and tell us that we have to be wagged. Well, we won't stand the wagging. We intend to wag the head. We are here to give directions to the administrative body. They are there to receive our opinions, our counsels and our votes. We are not here to receive their dictation; and the hon. gentleman will find out his mistake before he is long in this Chamber. He talked about the majority ruling. There is no doubt about that. Unfortunately, sometimes the majority is not right, but as a rule we have to obey the dictates of the majority; but he forgets the role of the minority, which is to guide, and direct, and warn the majority against certain dangers and perils. That is what we are here for. We are not here to dictate the policy of the government of the day, but we are here to direct it, and in a sense to control it in a way that will be advantageous to the general welfare of the country. The hon. gentleman thinks that on this side of the House we are opposed to the Bill, because it is a government measure. In that he is absolutely wrong. We are no more opposed to this measure than to the tariff commission, or any other measure that the government has brought down. All we ask on this side of the House is to ameliorate these measures, to improve them; and if the hon. gentleman, or those who think like him, and with him, think that a suggestion of improvement means opposition, then his place is not here, but down in New Glasgow. Because the opposition suggests an amendment, that does not imply opposition or hostility to the Bill. Let the majority be sensible and reasonable, as

well as the opposition. We are here to make suggestions in the interest of the country, and that is what we have been doing here for the past two weeks. Take the Manitoba Boundary Bill, as an example. No one of those who spoke on that Bill on this side of the House was opposed to the measure, but we were all in favour of improving it, which does not mean hostility or any intention to kill the Bill. Now let the hon. member from New Glasgow be cool, and take our attitude into calm reflection and consideration.

When we propose a certain thing in this House, it does not follow that we are doing it out of animosity. We are here to look after the general interests of the country. I agree with the right hon. leader of the opposition in this House that this Bill, from its very inception, is an infringement of provincial rights, and, as framed, is unconstitutional and ultra vires. But we have not moved to reject the Bill. In spite of the opinion of the right hon. leader of the opposition, the government desire to force it through. There is a clause in the Bill which provides that if a provincial legislature or municipal corporation decline to accept aid, the federal authorities have the right to go into any such municipality and construct roads. I say deliberately that no more outrageous declaration could be made against provincial rights than for the federal government to say to the country or the municipal council of any municipality, or to the provincial legislature: If you do not accept our terms we will go in and do as we please. What does that mean? The destruction of confederation and the annulling of the decentralization principle. The government has the audacity to say to the municipalities of this country, 'If you do not do what we desire we will go in and do it in spite of you.' That is getting pretty near the limit. Hon. gentlemen may arise and plead generosity on the part of the federal power in giving money away. They do not know what to do with it, but the principle is there, and I contend, with many, that the government has no right to do so, and it is simply audacious in the face of the constitution to say that it has a right. Under these circumstances the critics of the Bill are charged with trying to bind down the government of the day in regard to the control and expenditure of money, and they say, 'What right have the critics to bind the government to any action?' I do not say the hon. leader of the government has gone that far, but the new recruit in his ranks has made that statement, and it is a most untenable position for any public man to take. We are here to say how that money shall be spent.

I entirely disagree with the hon. member for Pictou (Hon. Mr. Bell) in regard to the constitutional rights and the legislative rights of the representatives of the people. I want him to understand that we cannot be tied to the chariot wheels of any cabinet. We are here to direct this expenditure. They get the money voted and we will tell them how to spend it. They cannot spend one single dollar without stating how it is to be applied. Is it not right that the representative of the people should say how this five or ten millions should be distributed between taxpayer and taxpayer throughout this broad Dominion. What right has Ontario to five millions and Quebec only one million? Or what right have they to give one hundred thousand to Saskatchewan, and fifty thousand to Alberta, and the balance to British Columbia? That is what we must control. Notwithstanding the declaration of Mr. Borden, and Mr. Cochrane, that money must be divided by enactment of law, and not by their declaration, because, as the old Latin poet said, 'Words pass away, writing remains.' Do not let the hon. member for Pictou (Hon. Mr. Bell) imagine it is a vote of want of confidence in the government. Mr. Borden is here to-day, but he may be gone to-morrow, and his word will not amount to anything. Mr. Cochrane is here to-day, and he may be gone to-morrow, and his word will not amount to anything. We want their declarations put in black and white. They ought to be proud to have their declarations embodied in the Bill. We never know when death, or some other cause, may take them from office. I cannot see why any objection should be taken to this amendment. I have no confidence in certain members of the

present government. I will not go so far as to say I have no confidence in the government. I will not allow this sum of money to be put in the estimates or the budget and be put under the control of certain persons in that cabinet. That is plain and there is no use going behind the bush.

Hon. Mr. McSWEENEY—It is plain enough.

Hon. Mr. CLORAN—Plain enough, and I have reason to say so, because I have felt the sting of some of these men, and I do not want to feel it in parliament. I think it is absolutely necessary that this amendment should be passed. I have very little more to say. I think the constitutional aspect of the question has been dealt with by the right hon. leader of the opposition, and he has given a full and complete explanation in regard to that matter.

Hon. Mr. BAIRD—I read with a great deal of pleasure the announcement made in the Commons the other day that we were to have an appropriation for roads in the provinces. The question seems to be how it shall be dealt with. At first blush one would think the amendment offered by the hon. member from Halifax (Hon. Mr. Power) was a very reasonable one. I had the honour of being in the local legislature for many years. In our province the government build the greater part of the roads and bridges. If I had applied the principle that is embodied in this amendment I would have had to appropriate the money in my county proportionate to the population in the different parts. I often found it necessary to spend all the money in one part of a county, or in two parishes, in which there happened to be a very great rush of immigration; the other parishes were deprived of that expenditure. They did not need it so much and the roads were in pretty good condition.

Hon. Mr. POWER—This amendment would not hinder the money being spent in that way.

Hon. Mr. BAIRD—We have immense forests through which the National Transcontinental railway runs. If one hundred, or two hundred, people were to suddenly come into that country a great deal of money would have to be spent for roads and bridges. Under this amendment you would tie the government down to apportion the money to each province according to population. If a large immigration were to come into Quebec, it might be necessary to give Quebec a much larger amount than they would receive according to population. These immigrants would require roads and bridges, and it might be necessary to make a very large appropriation for that purpose, but under this amendment it would be impossible to give that aid. Ontario is a very old province; its roads and bridges are in good condition, and it might be that Ontario would not require a very large amount, but Nova Scotia or New Brunswick, on the line of the National Transcontinental railway, where it runs through the forest for 250 miles, might have a rush of people from the old country rendering it necessary to give New Brunswick a large amount. It would only get a small amount if they received it according to their population.

Hon. Mr. THOMPSON—Have not the government already said that it was their intention to divide this money on the basis of population ?

Hon. Mr. BAIRD—I do not approve of that statement. I claim that the government should have a free hand to place this money where it is most required. It might be necessary, in case of a large population coming into a new portion of any province, to spend a larger amount than that province would be entitled to according to their population, and I claim the government ought to have a free hand in that respect. as to what roads and bridges should be built, while in an older country they should not require such a large expenditure. A few years later it may be necessary to expend more money. I think it is a mistake to tie the hands of the government in this case. It shows we have very little confidence in them. We might just as well say that the railway subsidy shall be apportioned pro rata each year among the

different railways. The money is apportioned where it is most needed. They should adopt the same principle with regard to roads and bridges and apply the money where it is required, and perhaps in five or six years each province might get its proper proportion.

Hon. Mr. LOUGHEED—Hon. gentlemen may be aware of the fact—perhaps some hon. gentlemen are not—that this amendment was moved in the House of Commons.

Hon. Mr. POWER—Not just the same.

Hon. Mr. LOUGHEED—Substantially the same. It is very desirable that there should not be conflict between the two Houses if we can possibly avoid it. I am perfectly aware that if the amendment is carried it will result, of course, in a conference between the two Houses. My own view is—there can be no two opinions about it—that the Senate has a right to amend this Bill in any way it pleases. I most freely admit that. It is not a money Bill, and is entirely in the hands of the Senate, but it seems to me, on a question of this kind, where the government has come down to parliament with a policy, and has introduced a Bill embodying in general terms its declaration of policy, and in pursuance of that has further placed in the estimates a certain amount of money made divisible upon the pro rata basis amongst the various provinces of the Dominion and in harmony with the statement which they have made upon the floor of parliament; and in further view of the fact that the House of Commons has authority, and the only authority to vote supplies upon a question of this kind, that this Chamber should accept the solemn declaration of parliament, as represented by the House of Commons upon a subject such as this. To say that the Senate, upon a Bill which looks to the voting of, and distribution of, public money, should pass clauses tying the government of the day into as hard a knot as possible, and not accepting the statement which they have solemnly and deliberately made in parliament, and have shown by good faith in the Supply Bill, is to express, certainly, a want of confidence in that government, and you cannot take exception to a self-respecting government objecting to that class of legislation, particularly keeping in view that it relates to a branch of public expenditure over which the House of Commons alone has control. It seems to me it would be in harmony with the constitutional practice of this Senate to either accept or reject the Bill. I quite admit the authority of the Senate to amend it, but it would be very much better constitutional practice to reject or accept it in its entirety.

Some hon. MEMBERS—No, no.

Hon. Mr. LOUGHEED—That is the view that I with all due deference, desire to express. Hon. gentlemen must foresee conflict between the House of Commons and this Chamber if we pass an amendment which was rejected by the Commons before the Bill was sent up here.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does the hon. gentleman mean to tell us that if a motion is made in the House of Commons and rejected there, that it cannot be renewed in the Senate?

Hon. Mr. LOUGHEED—I made no such statement. My right hon. friend surely cannot have construed my remarks as warranting that conclusion. I said, and I repeat, that the Senate has the fullest authority to move any amendment it pleases to any Bill of this kind, notwithstanding that amendment may have been rejected by the House of Commons, but let us carry it out to its logical conclusion. What is the logical conclusion? That on all Bills the Senate would be the dominant and governing party. The Senate has a constitutional right to amend any Bills along the lines I have indicated, and to adopt the amendments rejected by the Commons, but let us carry it out in its detail. Every amendment moved by the opposition in the House of Commons against the government could be introduced into the Senate and carried. That would mean that the House of Commons would have to accept the amendments of the Senate as against the expression of its own body. That could be applied to every Bill.

Hon. Mr. POWER—They can reject our amendments?

Hon. Mr. LOUGHEED—If this is accepted as a precedent, that the House of Commons, notwithstanding their rejection of the amendment, must accept after it goes from this Senate to the House of Commons, it means that it may be applied to every Bill. There is no question that that is the constitutional right of the Senate, but the two bodies are made up of human beings, and if they once come into conflict along the lines I have indicated, there must necessarily be a deadlock. It is for hon. gentlemen to say whether the good sense and sound judgment of this body in dealing with a Bill of this kind, which virtually pertains to the expenditure of money, shall be carried to the extent and to the constitutional extremity which I have pointed out, and which must result eventually in this body having to conform to public opinion, because the House of Commons undoubtedly expresses, in its legislation and in all its acts, the popular will of the people.

Hon. Mr. CLORAN—Not always.

Hon. Mr. LOUGHEED—And although we cannot view, possibly, every matter which comes up here in the same light as the House of Commons, yet eventually, if we follow it out to its logical conclusion, we certainly will have to bow to the popular will. My own impression is that our better sense and judgment should be exercised with reference to this particular Bill, and if hon. gentlemen desire to further think over the matter, I am perfectly willing that the committee should rise and report progress and sit again; but under the circumstances I regret very much that I cannot see my way to accept the amendment proposed by the hon. gentleman from Halifax.

Hon. Mr. DANDURAND—The hon. gentleman is quite right when he says, that if all the amendments moved by the opposition in the Commons were taken up in this Chamber, and tacked on every government Bill, it would be practically the minority in the Commons who would be governing the country. I admit that if that general affirmation were made, and found true, that would be the logical conclusion to be drawn from such a state of affairs, but I have not looked through the Commons 'Hansard' to know what amendments were moved to the various Bills passing through that Chamber, and introduced here. I am content with taking the Bill which is before us, which is admitted to be a complete departure from legislation since confederation, which adds to the subsidies to the provinces for work, which has been up to this date, carried on by the several provinces, which are local works in the provinces which have been paid out of the proceeds voted by the federal government, and by the taxes collected in the province by the provincial Budget. We are having a new departure which pretends to help the province in local works in the province. The government says: 'our policy is, under this Bill, to divide that money among the provinces in proportion to population.' I understand my hon. friend to argue that the policy of the majority of the Senate should not prevail over the policy of the government, supported by a majority in the Commons. but what are we doing in this instance? Simply embodying in the Act, the policy expressed by the government in the other Chamber and repeated by the representative of the government in this Chamber. Is there anything heterodox in that? My hon. friend asks: 'should the word of the government not be accepted?' I am asking another question. 'What guarantee does he give this Chamber that the successors of the present government will feel bound by the policy of the present government?'

Hon. Mr. LOUGHEED—This being an Act of parliament, it can be repealed any year. If there are any successors to this government, as there possibly may be in the dim and misty future, they can repeal it.

Hon. Mr. DANDURAND—The answer is not satisfactory, and I shall draw the attention of my hon. friend to the point

where it is weak. Either branch of this parliament can withdraw its own legislation, but it takes the two chambers to repeal a law and another government, composed perhaps of members of the dominant party to-day in the Commons, and represented in this Chamber by the hon. gentleman from New Brunswick, who have expressed very divergent views from the policy of the government, then where is that assurance that the policy will be carried? I am convinced that this position taken by my hon. friend is untenable.

Hon. Mr. LOUGHEED—Then you had better reject the Bill.

Hon. Mr. DANDURAND—No, because we are simply carrying on the policy expressed by the government in bringing down the legislation in this Chamber, and repeated here by my hon. friend. He says it is unfortunate that this amendment has been proposed, as it was proposed and rejected in the other Chamber. He fears a conflict with the majority in the other House. It seems to me that if we have common sense, equity and good legislation on our side in this one instance. it should not be inconsistent with the dignity of the Commons to accept the amendments this Chamber makes to this Bill. I hope the majority in the Senate is prepared to treat fairly and equitably all measures that come from the other Chamber, but, on the other hand, there should be a little reciprocity in that treatment. They should treat the opinions and conclusion reached by this Chamber as we treat the legislation coming from the other Chamber. I desire to repeat that we simply embody in this Bill the policy of the present government, which has been challenged by some of the supporters of the government, and if my hon. friend will allow me to draw his attention to what has taken place in the other Chamber, I will tell him that I think this amendment was only carried by two of a majority there.

Hon. Mr. BELCOURT—I wish to point out the weakness of the argument advanced by the hon. leader of the government. He tells us we should not adopt this amendment, and he has appealed to our better sense and judgment on the ground that if we do adopt this, it may result in a conflict between the two Houses. That is an extremely weak argument, because if we are to be deterred from adopting this or any other amendment to any government measure which comes to us for fear of a conflict with the other House, we will never adopt any amendment.

Hon. Mr. LOUGHEED—This is a concrete case in which the House of Commons has already rejected this amendment, and I say that we cannot expect the Commons, once having rejected the amendment, to stultify itself by accepting it.

Hon. Mr. BELCOURT—That is obvious. If we cannot expect the House of Commons to stultify itself, the House of Commons cannot expect us to stultify ourselves. If, after bringing our best consideration to bear on a measure, either government or private, we think that, according to every rule of good legislation, we should propose some amendment, are we going to be deterred from doing that because we may be in conflict with some other gentlemen, and should we not appeal to their better sense and judgment? I think that when the Bill goes to the Commons, with the discussion which has taken place in the Senate, and with the arguments which have been advanced, which, I may be permitted to say, with all respect, are absolutely sound, the Commons may adopt our amendment. The arguments in favour of amendments proposed by the hon. gentleman from Halifax (Hon. Mr. Power), in the judgment of every person in the House who will give it consideration, are very sound.

Hon. Mr. LOUGHEED—No sounder than when made in the House of Commons.

Hon. Mr. BELCOURT—That is all right, but if we are not, in this House, going to adopt an amendment which to us appears sound and logical and good legislation because in the other House it did not appear to them in that light, we shall never adopt any amendment, and we shall have to stultify ourselves and say the House of Commons thought better than we did and we will have to go the way the House of Commons went. I have no doubt that when

the House of Commons has before it the arguments that have been advanced in this House, their judgment will accept this amendment. I protest against the doctrine that this House should not adopt an amendment because it may be in conflict with the decision of the other House. If that doctrine is to be admitted, then, as has been said, we had better pack our traps and go home and let the House of Commons run the whole show.

Hon. Mr. KERR—In the first place there is not a single word in the proposed amendment which is in conflict with the proposal of the government as expressed by the leader of the House.

Hon. Sir MACKENZIE BOWELL—Why put it in?

Hon. Mr. KERR—There is nothing which will prevent them from carrying out what he says they are going to carry out. In the absence of words declaring their intention, we have to take a blanket Bill and justify legislation which leaves the door open for them to change their minds. Any one who reads the Bill will see in the first section that this may or may not be an expenditure in more provinces than one. The whole of clause 1 contemplates the expenditure of money in any province, and leaves it open to do it in any way they please. The principle has been accepted by the other House that it must be in proportion to the population in each province and that it must be done in each province. All this amendment provides for is to put in writing this declaration which might, or might not, be repudiated by some members of the party on the opposite side who have already voted for the Bill, or it might be repudiated by some members of the government, because it is argued that they had a right to change their minds and were not precluded. This is a plain proposition and, as a matter of sound legislation and as a matter of preserving the dignity of parliament, and as a protection which the Senate is specially charged to provide in the interests of the smaller provinces, which may need this aid more than the larger ones, I say if there is a duty to amend any Bill it is to amend this Bill. We are doing it in accordance with the expressed declarations of the ministers as to their intentions. Under these circumstances, I submit it would not only be the height of folly, but it would be a great impropriety on the part of the Senate, to pass this Bill in the form in which it is presented, instead of in the amended form. As to the course the Commons may take, that is a matter we cannot anticipate. I should be sorry to think that, over a matter of this kind, we should be put into the position of adopting such a course as has been hinted here. If that is an indication of a threat, if it is something going beyond what is reasonable argument, if it is an assertion of power, or if it is an assertion of an intention to carry out something against a chamber which is specially charged with the revision of these Bills, then I say our course is only made doubly clear. It appears to me that the hon. gentleman will, on reflection, withdraw anything in the shape of an intention on his part to indicate anything like coercion.

Hon. Mr. LOUGHEED—My hon. friend is not justified in making any such statement. He has no right to impute any such motive to me from any statement I have made. I appeal to the Chamber if I have not made a fair statement of the case without making any innuendos, much less without expressing a threat. I simply pointed out the fact that we cannot expect the Commons to stultify itself, after having once rejected this amendment.

Hon. Mr. KERR—I have great pleasure in accepting the assurance of the hon. gentleman that his statement was not intended as a threat. In view of the statement which is made by the hon. gentleman from Pictou (Hon. Mr. Bell).

Hon. Mr. LOUGHEED—I am not responsible for what other hon. gentlemen say.

Hon. Mr. KERR—I might be pardoned for drawing the conclusion that he spoke as voicing the views of the party, if not of the Prime Minister.

Hon. Mr. LOUGHEED—Then I must hereafter hold my hon. friend responsible

for any statement my hon. friend from Montreal (Hon. Mr. Cloran) may make.

Hon. Mr. KERR—If the hon. gentleman means to say that the statement of the hon. gentleman from Pictou (Hon. Mr. Bell), and the hon. member from Montreal (Hon. Mr. Cloran) are to be treated in the same way——

Hon. Mr. LOUGHEED—My hon. friend has no right to draw that conclusion.

Hon. Mr. KERR—I will leave these gentlemen to say who shall be entitled to invite criticism of the government. That does not get away from the point I was making. I did not say that it was a threat. I said I hoped it was not a threat. I accept the statement that it was not a threat. Now, we come down to a reasonable way of dealing with the matter. A man makes a proposition to you and he says 'I will do so and so,' and when he is asked to put it in writing he sits down and writes something what is only half the bargain. You state to him 'You said you would do so and so.' He says 'Yes, I am to do that.' Then you say to him, 'Put that in there also and express the whole of the bargain.' That would be a reasonable proposition.

Hon. Sir MACKENZIE BOWELL—Go a little further and say that such a bargain has been made, and one gentleman says to the other 'Put that in writing.' Does not that mean to say I do not trust you?

Hon. Mr. KERR—No, it does not. It is for the purpose of preventing a misunderstanding. It not only binds the government, but it binds the parties behind the government. And any government that may be in power in the future.

Hon. Sir MACKENZIE BOWELL—I was at the head of an institution, and I made a proposition for a settlement. The gentleman had known me for 22 years. He wrote back wanting me to put it in writing. I told him to go where it would be a good deal warmer than it is here.

Hon. Mr. KERR—I cannot account for the choleric disposition of my hon. friend who takes offence at what is a very simple proposition. If he had some person acting for him instead of acting for himself?

Hon. Sir MACKENZIE BOWELL—If my word had been taken it would have held the directors, and they would have been bound to carry it out.

Hon. Mr. KERR—If my hon. friend had some person representing him and the people for whom he was speaking, they would have said, 'Certainly this whole bargain must be put in writing.' So now, when this government is speaking for the people of this country as well as for its party, I think it is only fair to say: 'Put the whole of the bond in writing, and then there can be no misunderstanding.' I think the illustration the hon. gentleman gave me is a very good one, showing what is the every day practice, that people do not put half a bargain in writing and leave the other half expressed in words open for any kind of dispute hereafter. It appears to me if ever there was a case in which the parliament was called upon to amend an Act so as to express the declared intention of those who introduced the Bill in another place, and who sent that Bill here for us on the strength of such endorsements and statements as that, this is a case in which we should be careful to see that those words are expressed in the bond.

Hon. Mr. CLORAN—I must get even with the leader of the government, who made a rather personal statement on the floor of the House that the hon. member from Toronto was no more responsible for what I said than the leader of the government was responsible for his new raw recruit, very raw. Now, the leader of the government cannot cast any reflection on me without getting it back, and getting it back thick and good. I want to offer the leader of the government this proposition: that he will take the 'Hansard' from the day I entered the Senate nine years ago, and find up to the present time one sentence against public policy, against public interests, against national rights, against the honour of any hon. gentleman in this House, and I will apologize to him, and more than that, I will give him my indemnity of this year so as to enable him to engage a staff of secretaries to go through

the Debates, and I will pay all their expenses. I am talking to the leader of the government, and I do not want anybody else to be talking.

Hon. Mr. LOUGHEED—Go on, I am listening.

Hon. Mr. CLORAN—If you cannot find anything of that kind in my record, then it is up to you, as a gentleman, to apologize to me and take it back.

Hon. Mr. LOUGHEED—If my hon. friend had paid proper attention to what was being said, he would not misconstrue the remarks that were made. What I said was this, that I would not think of holding my right hon. friend responsible for all that my hon. friend from the Victoria division of Montreal said. I fancy that I am justified in that, am I not?

Hon. Mr. CLORAN—No.

Hon. Mr. LOUGHEED—Then am I to understand that my right hon. friend is responsible for all that the hon. gentleman says?

Hon. Mr. CLORAN—No, that is not what the hon. gentleman said. What he said was, that he was no more responsible for the statements of the hon. member (Hon. Mr. Bell) than the hon. member (Hon. Mr. Kerr) was responsible for mine. That is what you said.

Hon. Mr. LOUGHEED—No, I did not.

The CHAIRMAN—I beg to call the attention——

Hon. Mr. CLORAN—There is no point of order.

Some hon. GENTLEMAN—Order; chair.

The CHAIRMAN—The rules forbid hon. gentlemen on either side of the House from talking directly across to the other.

Hon. Mr. CLORAN—Then I will speak to the Chair. Mr. Chairman, I have been told by the leader of the government that he was no more responsible for the expressions of opinion in this House by the hon. member from Pictou (Hon. Mr. Bell) than the hon. member from Toronto (Hon. Mr. Kerr) was responsible for mine.

Hon. Sir MACKENZIE BOWELL—That is all right.

Hon. Mr. CLORAN—That is a statement made in the hearing of myself and other senators here. Of course if he did not say that, then I have nothing more to say.

Hon. Mr. BELL—I would not intervene again in this discussion were it not for the fact that my hon. friend (Hon. Mr. Kerr) has stated that I made a threat in the course of my speech. Well, I shall be very much surprised if on reading my speech he can discover anything like a threat in it, or anything that could be construed as a threat.

Hon. Mr. KERR—I beg to state that I did not indicate anything of the kind in reference to anything that the Hon. Mr. Bell said. I was addressing that observation to the leader of the government. I wanted a declaration from him that he was not making a threat.

Hon. Mr. BELL—I understood, first of all, that the hon. gentleman charged the leader of the House with having made a threat, and then when the hon. gentleman repudiated that, he said: 'Then the hon. member from Pictou said so, and you are responsible for his utterances, because he spoke from the seat adjacent to you'; and furthermore, he undertook to say that I spoke as expressing the government policy in the matter. Now, I want to say that I am not a member of the government, I am responsible, as a supporter of the government, for their policy, of course, and I am responsible for every expression of opinion that I utter here as a man and a senator; but it would be unfair to the government that they should be held responsible for what I say, any more than they are responsible for what is said by any of their supporters in this Chamber, and I certainly had not the slightest intention of making a threat. I think I should be very foolish to utter a threat against the Chamber of which I am myself a member; it would be an absurd thing to do, and I had no intention of

threatening, nor do I understand that the leader of the government had any intention of making a threat. What he did was to point out the situation that would arise if, after the House of Commons had rejected an amendment, the Senate subsequently adopted the same amendment. Now, can any one dispute the fact that in that case there would be an affirmation and a negation by these two bodies in reference to a definite statement? Consequently, it is very easy to be seen that if that is the case the two Chambers would be brought into conflict.

Hon. Mr. BELCOURT—Is there not a possibility of that situation arising on any amendment that this House proposes?

Hon. Mr. BELL—I think unquestionably there is; in every case where one Chamber has affirmed yea and the other nay to the same statement they are in conflict.

Hon. Mr. BELCOURT—Might not that arise on any matter at any time?

Hon. Mr. BELL—Certainly.

Hon. Mr. BELCOURT—Yet my hon. friend says that we should be debarred from making an amendment for fear of such a situation arising.

Hon. Mr. BELL—I never dreamed of saying so for a moment. The Senate has power to deal with every measure that comes before it with the exception of a money Bill, which it cannot amend. It can move any number of amendments to any measure that comes here; we all know that. Why, then, should we ask any further assurance on that score? We have our rights and our powers in this Chamber.

The amendment was adopted, contents 35, non-contents 11.

Hon. Mr. POWER—There is a slight amendment I wish to propose to clause 4, to which I assume the hon. leader of the government will have no objection. It is in the first line of clause 4, after 'Highway' insert 'or bridge.' It will be noticed that in clause 3, the phraseology is 'highways or bridges,' and inasmuch as in the new parts of a country particularly, the construction of a bridge is a very important matter and very expensive, and just the kind of matter where the resources of the Dominion government might naturally be called upon, I asume that the hon. gentleman has no objection to insert 'or bridge' after 'highway.'

Hon. Mr. LOUGHEED—I have nothing to say.

The amendment was agreed to, on a division.

Hon. Mr. POWER—I have another amendment. In the first line of clause 5, insert the words 'or bridge,' after 'highway.'

Hon. Sir MACKENZIE BOWELL—Does the hon. gentleman not think that a highway which crosses a river is a part of the highway, and the bridge would be necessary in order to complete the highway?

Hon. Mr. POWER—I am not going to undertake to enter into a discussion on that question, but I simply call attention to the fact that the government in the 3rd clause took care in two places to insert the words 'or bridges' afterwards, and we are simply following their example.

The amendment was agreed to, on a division.

Hon. Mr. POWER—The last amendment which I have the honour to propose is to strike out clause 6. Under this clause, the Minister of Railways,

> With the approval of the Governor in Council and upon such terms and conditions as are prescribed by order in council, may undertake the construction of any new highway or the improvement of any existing highway in any province, and may expend in such improvement or construction the whole or any part of the sum voted by parliament for such subsidy to that province. Provided, however, that the minister shall first obtain the necessary authority from the legislature of such province and the consent of the Lieutenant Governor in Council.

If it was necessary to do all that in advance, the probabilities are that there would be very great delay in connection with a comparatively small expenditure, and the rights of the government of Canada

are sufficiently protected by the preceding clause.

Some hon. GENTLEMEN—Carried on a division.

Hon. Mr. KERR—Before that is done, I would invite the hon. gentleman's attention to the fact that in the provinces of Ontario and Quebec there is a plan for the improvement of highways by a special Act of parliament, and the work has to be done by the county councils.

Hon. Sir MACKENZIE BOWELL—No, not always.

Hon. Mr. KERR—I think it is in the Act of 1907. By that plan the greatest care is taken as to supervision and the preparation of the plans, and these are obtained by the provinces and submitted to the councils for consideration. Under that the work is carried out by the councils, and the government supply half the money.

Hon. Sir MACKENZIE BOWELL—When was that Act passed?

Hon. Mr. KERR—In 1907. What I want to submit for the consideration of the ministers is, that there being a complete system there, which calls for the greatest care and attention on the part of the local authorities for doing this work, that this Bill should be carried out through that plan. The money should be voted to the province to be expended in accordance with that plan. It is in view of that that I think section 3 should have an additional subsection to it. I would provide at the end of clause 3:

> That in case a plan for system for the improvement of highways, has been or may hereafter be adopted in any province under any Act of such province, the amount apportioned to any such province as hereinbefore provided shall be applied and expended in the same manner as the moneys provided in such Act.

This is the people's money and it is going to the provinces and the people will see that they get value for their money and will contribute towards the work. I move, therefore, that clause 3 be amended by adding this as a subsection.

Hon. Mr. POWER—I trust the committee will not adopt this amendment, because it is importing into a Dominion measure conditions which are right enough in provincial measure, but which are altogether out of place in a measure passed b this parliament. Why should we inser in this Bill a provision which can operate only as to the province of Ontario? I am sorry that the hon. gentleman has thought proper to interpose with this amendment because it is calculated to defeat the object of the Bill.

Hon. Mr. LOUGHEED—You have done that already.

The CHAIRMAN—The question is on the proposed amendment of the Hon. Mr. Kerr.

It being six o'clock, the committee rose for recess.

After Recess.

The committee was resumed.

Hon. Mr. DAVIS—I wish to draw the attention of the hon. leader to the fact that there is a good deal to be said in favour of the amendment, inasmuch as I notice by clause 4 of this Bill that the government is undertaking quite a large contract, and I think the hon. leader will agree with me, coming from the province he represents. Clause 4 says:

> Any highway for which aid is granted to a province shall be improved or constructed, as the case may be, according to descriptions, conditions and specifications approved by the Governor in Council on the report of the minister, and specified in each case in an agreement between the minister and the government of the province, which agreement the minister, with the approval of the Governor in Council, is hereby empowered to make.

Does my hon. friend think that the Governor in Council here can get up specifications, descriptions, &c., with reference to a road in the Peace river country, or in reference to a road away back in British Columbia, or Saskatchewan, or any of those new provinces? If we are going to construct roads all over the country, I must say that I think the people who know more about the roads of the country are the local government in each case; I know I am speaking for Saskatchewan. We have a

first class road system, and our government this year have come down with a proposition to expend in the next few years $500,000 on the roads of Saskatchewan. We have a first class road system there, and I am quite positive that the provincial government is in a position to spend any money which the Dominion government may be willing to appropriate for roads in that province, to much better effect and much more economically than the government here could do it. I would like to see this money spent; we all want to see good roads in the country; nobody objects to good roads. If we can get a million or two millions we would be very glad to take it, and I understand that the government have an overflowing treasury—which by the way, they might get rid of by lowering the taxation instead of adopting these means. But I submit that the local government, knowing all the conditions with reference to their own province, knowing everything in connection with the building of roads, having a system established for the building and improving of roads, are in a much better position to handle any money which the government wish to donate to them than the government here at Ottawa. That is my impression, and I think my hon. friend will agree with me that the government have assumed a serious contract when they undertake to get out specifications and plans, &c., for all the roads which they propose to build in the nine provinces of the Dominion. I think it would be much better to leave it to the provinces themselves, and give them the money. I am sure that there could be no objection to placing the money in the hands of all the provinces, as the people of Canada as a whole are paying this money.

If the government agree that it is a good thing and that it should be done in that way, I do not see why they object to have it in the Bill. I might draw attention to some of the discussion this afternoon with reference to the right of this House to improve any government measure that comes before it. Some of my hon. friends have a very short memory. I have in mind a Bill that was brought in to construct a railway into the Yukon, and although it might have raised a conflict between this House and the House of Commons my hon. friends on that side of the House had then a different opinion from the one expressed to-day. Some of them spoke against that proposition, and I think most of them voted that way. To-day they have reversed their opinion. It is just a question of whose ox is being gored. There is a good deal to be said in favour of my hon. friend's amendment. If any money is to be contributed by the Dominion, it would be much better to hand it to the provinces and let them spend it. It would be more economically spent in that way, and much better results would accrue than if the Dominion government undertook it. They have enough to do here.

Hon. Mr. LOUGHEED—If my hon. friend had looked up the records of the Senate during the time the majority of the Senate was opposed to the government, he would have ascertained that the practice which then obtained, almost without any exception, was that the Senate rejected in its entirety the whole of any measure on the ground of policy. That was done in connection with the Yukon Railway Bill, the Drummond Counties Bill, and in certain matters relating to what we regarded as a premature distribution of boundaries of constituencies before the Redistribution Bill was brought down. I recall no case in which the majority of the Senate of that day, sought to amend Bills for the purpose of limiting or restricting the government, and I think my hon. friends, by looking up the Debates and Journals of the Senate of those days, will learn that that was invariably the practice of that period. Certainly, no exception could be taken to the constitutional right of the Senate rejecting this Bill. With due deference to the action which my hon. friends have taken upon the subject, my own opinion is that this is the course which should have been pursued now. With reference to the other subject spoken of by my hon. friend, as to his adopting the machinery which may exist in the province with respect to building roads, there is nothing in this Bill to prevent that being done. I pointed out, on the introduction of the Bill, that it was a measure fraught with very great difficulties, owing to the gov-

ernment entering upon what might be termed a new departure, and that a satisfactory scheme would have to be evolved by a conference between the provinces and the central government.

It was for that reason that the Bill was couched in these very flexible terms when brought before the Senate, and which, in my humble judgment, it is desirable should obtain in reference to this Bill so as to work out a harmonious scheme. There is nothing to prevent the government from adopting the machinery which may obtain in the provinces as to the construction of roads, the only consideration being that there must be a mutual arrangement entered into before the operative parts of the Bill go into effect.

Hon. Mr. DAVIS—Some of my hon. friends opposite have said that when a government had the confidence of the country, and had a certain policy it was not right for this House to interfere with that policy. That is a statement that was made. I cannot understand that logic, nor my hon. friend saying that we should not amend the Bill, but that we should reject it entirely. We have submitted some good amendments to the Bill. We say if the government has money to spare we are prepared to have it spend that money in making better roads. I submit it should be spent by the provinces, and I think that is the meaning of the amendment that has been made.

Hon. Mr. DANDURAND—I have some hesitation in voting for the amendment of the hon. member from Toronto (Hon. Mr. Kerr), because I am afraid that it may restrict the discretion which is allowed by clauses 3 and 4.

It may happen after the conference that will take place, when this session is over, that the money to be voted from the federal exchequer might be quite easily expended under the present provincial legislation. I do not feel like hampering the federal authorities before that conference takes place, but I will take an appeal to my hon. friend on the other side who represents the government. I for one have made up my mind from the outset—and I will refer him to perhaps the first speech I made in this Chamber, which was in 1898, that whenever I sat on this side of the Chamber I would divest myself, as far as a human being could, from any strong sentiment of partisanship, and never forget that the government of the day is in power by the will of the majority, and that this Chamber was created with the idea that it would receive the measures coming from the other Chamber, more especially emanating from the government, in a spirit of sympathy and fair-play, and would examine them and treat them in the best interests of the country, without forgetting that measures that have been submitted to the people must be received with more consideration than others which concern the ordinary administration of the affairs of the country, and which have not been submitted to the people. This was my view when I came into the Chamber, and this is my view today. In intend to adhere to it according to my best judgment. There is only one unfortunate incident in connection with this amendment which has been mentioned by my hon. friend; it is the fact that the substance of this amendment has already been discussed in the other Chamber. I draw the attention of my hon. friend to the fact that this Chamber does not undertake to thwart the policy which has been enunciated by the government. I affirm my strong conviction that with this amendment the present federal government will be able, when this session is over, with an absolutely free hand, to meet the representatives of the provinces, discuss all the features of this policy and agree under clauses 3, 4, 5 on a scheme which will carry out absolutely the intentions of the government.

It is possible that this Bill may be found insufficient, but I claim that, without the amendments which have been passed, the same situation may develop, because of conditions which would have to be faced and which are not known at this moment, and cannot be foreseen. I cited the language of the hon. leader of this government in the other Chamber, by which it appears that the Prime Minister recognizes that this measure was introduced in a crude form, in a hurried way, and that very likely after the conference he spoke of has taken

place, he will have to come before the House in November next to implement it with new legislation. If my affirmation is true that we do not thwart in the least the policy enunciated by this government, I wonder why our amendments should be rejected when the only reason which could be advanced is that they were already considered by the Commons. We have an equal jurisdiction with the Commons. We are asking nothing unfair. We assert a principle recognized by the government. If our action is considered with an unbiased mind it would lead to a more harmonious working of the two branches of parliament.

Hon. Sir MACKENZIE BOWELL—After hearing the speech of the hon. gentleman from Toronto (Hon. Mr. Kerr) and looking at the law to which he called the attention of the Senate, it strikes me that his amendment is the most sensible one that has been made to amend this Bill. That is the light in which I take it.

Hon. GENTLEMEN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—And yet when the hon. gentleman moved his motion I heard a universal cry on the other side of the House of 'No, no,' and I have been informed that he could not find two of those who voted for the other amendment to sustain him in the motion which he has made.

Hon. Mr. DANDURAND—If the hon. gentleman declares that he is agreeable to this amendment, my hesitation will cease, and he will find me voting with him.

Hon. Sir MACKENZIE BOWELL—I am not aware that I have yet expressed approval of any amendment, and I do not know that I would commit myself by saying yes or no to any question which the hon. gentleman may submit across the floor. Probably by the time I get through he may have been relieved of the trouble of putting that question to me. I have since examined this statute, hurriedly, I admit, and I want to point out that even supposing the amendment of my hon. friend that is now before the committee, were adopted it would not materially change the policy of the present Bill, for under the principles laid down in this Ontario Act, not a single step could be taken by a municipality, whether a county municipality or a township municipality, either in the framing of their by-laws or in the selection of the routes and roads to be selected, they could not act until they received the full sanction and approval of the Board of Works of the provincial government. In other words, no action could be taken towards the expenditure of a single dollar appropriated to the purpose of the improvement of roads under this Act until it had the approval and sanction of the Governor in Council, and of the Board of Works of that province. Now, what have you done in this case? You have obliterated from the Bill the sixth clause, thereby depriving the government of the day, which is proposing to spend a large amount of money for the purpose of improving the highways, of any power or right of interference whatever with the manner in which the money shall be expended. I have heard a good deal in this House, in the press, and in the House of Commons during the discussion of the Navy Bill on the interference with the autonomy of this parliament, of this country, of this Dominion, if the government appropriated a single dollar to aid the British government in their expenditure upon the navy. If it was a violation of the autonomy of the Dominion to appropriate a certain sum of money to be expended by Britain in improving the navy of the empire, we should apply the same principle to this. By the amendments submitted by hon. gentlemen they declare that the money appropriated by the Dominion for the improvement of roads in this country shall be handed over to another government and placed altogether beyond the control of the Dominion. Is that not an equal interference with and violation of the autonomy of the Dominion?

Some hon. GENTLEMEN—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I do not admit that either proposition is an invasion of the autonomy of parliament by any means. We had a right, and have the right now to appropriate any amount of money we please to encourage and in-

crease the power of the British navy. We can do that voluntarily without the interference with our antonomy. If this Bill becomes law the government can hand over a million, or ten millions, if you like, for the improvement of roads in the Dominion without sacrificing the autonomy of parliament, because the appropriation is made with the consent and approval of the representatives of the people in one case just as well as in the other.

But it is very easy in this, as in many other cases, to adapt your reasoning to the peculiar circumstances of the case. If the amendment which is now before the Senate is adopted, it would, to a certain extent, replace the provisions of the 6th clause which has been defeated and struck out of the Bill. I may be wrong, but I have come to the conclusion that the amendments which have been made will deprive the people of the different provinces of that aid which I think they richly deserve, considering the state of our finances, in improving our highways. The government may not accept the amendments as the late government did in the case to which I called the attention of the Senate before the adjournment—that is, put a sum in the estimates worded in such a manner as to carry out literally the provisions of this Act. They may make the terms of the appropriation of that money and the expenditure of the money in accordance with the policy involved in the statute, if they think proper. Then it will be for the House of Commons or the Senate to accept or reject such a proposition. Every senator knows that in the Commons they can move to strike out a particular clause for the reasons which have been advanced in the Senate for changing the provisions of the Act; but when it comes to this House we would either have to accept the Supply Bill in its entirety or reject it altogether because it contains that certain clause. We have had that experience in this country and they have had it also in Australia. The Upper House in Australia rejected the Supply Bill in its entirety because it contained one provision to which they objected, and that provision was the payment of the members of the Upper House. They laid down the principle—and acted upon it by rejecting the Supply Bill—that members of the Upper House should not be paid. And in order to compel the government to strike out that clause they rejected the Supply Bill, and they rejected it twice before the Lower House acceded to their request. We can act upon the same principle. We could reject the Supply Bill on the ground that it contained such a provision to which I called the attention of the Senate, and insist upon its being struck out of the Supply Bill before we will consent to give them any money. That is a practice which has been pursued in other countries. Whether the Senate is prepared to accept the amendment which has been proposed by the hon. gentleman from Toronto (Hon. Mr. Kerr), I am not prepared to say; but I repeat what I stated in the beginning, though I am not going to vote for it if there is a vote that it is the most sensible, reasonable, and logical amendment proposed to the House in regard to this Bill.

Hon. Mr. THOMPSON—I desire to place before the House my attitude in respect to this question. I have no disposition whatever to interfere with this appropriation being made for the roads, and no desire whatever, in my support of this amendment to cause the government to throw out the Bill, but I am willing to take all the responsibility which goes with that action, believing it is in the interest of this country that a Bill of this kind should be so plain that all the people would be aware of exactly what they might expect. We have not suggested anything, as has been stated several times, but what the leader has told us,—that the appropriation shall be so divided that each province will get its share of it. Already in this discussion we have had one hon. gentleman say that it might be that one province, in consequence of immigration, would be entitled to get all the money one year. Putting it in that way, goes to show the possible flexibility of this measure in the hands of the government.

Hon. Mr. LOUGHEED—While that may have been expressed as the opinion of one hon. member, yet the government of the

day is unalterably committed to the principle which has already been laid down by the Prime Minister and other ministers in the House of Commons, and also in this House, and no matter what the opinion of hon. gentlemen may be as to an equal distribution—of which much that is meritorious might be said—yet the government has laid down its policy, and my hon. friend has no right to doubt that by reason of a different statement being made in any other quarter.

Hon. Mr. THOMPSON—If the government have already laid down their policy, surely they cannot refuse to accept their own policy in the Bill now before the Senate. Surely there is no man in the Senate who, having agreed to do a certain thing, would refuse to put his name to it if he honestly meant to do it.

Hon. Sir MACKENZIE BOWELL—You would demand that, because you doubted his honesty.

Hon. Mr. THOMPSON—I do not think the government should refuse this Bill because we simply put in words what they promise the country they shall carry out. The Senate does not need any defence. The country will imagine that the government were unwilling to be put on record in a bond.

Hon. Mr. LOUGHEED—You struck out clause 6 also.

Hon. Mr. THOMPSON—So far as the flexibility of the Bill is concerned, if the hon. gentleman will read clauses 4 and 5 he will find that the government can practically do anything they like in the expenditure of the money. Clause 4 reads as follows:

> 4. Any highway for which aid is granted to a province shall be improved or constructed, as the case may be, according to descriptions, conditions and specifications approved by the Governor in Council on the report of the minister, and specified in each case in an agreement between the minister and the government of the province, which agreement the minister, with the approval of the Governor in Council, is hereby empowered to make.

Now the Minister of Railways, after consultation with the government of the province, can go to the province and expend that money, and there is nothing to prevent it, with this section out. Supposing the Minister of Railways goes down to New Brunswick, and meets our Premier, and says to him: 'We have $500,000 which we propose to give you to assist in building roads and bridges,' and they enter into an agreement according to description, conditions and specifications, what then will be the conditions? I do not think they will have impaired that Bill to the extent the hon. gentleman has endeavoured to lead us to think. That 6th section has left this proposition in the hands of the government so flexible, that the expenditure of this money can be made on any condition that can be arranged between the Minister of Railways and the Premier of any province.

Hon. Mr. LOUGHEED—Under section 6, as it is proposed to be amended, if the government chose to carry out federal work in the province with the consent of the legislature irrespective of the mutual work which may be carried on between the provinces and the central government, a like amount would have to be paid to every province in the Dominion pro rata.

Hon. Mr. THOMPSON—I do not see it in that light.

Hon. Mr. LOUGHEED—That is the force of it.

Hon. Mr. THOMPSON—Our amendment is, that when the money is included in the Appropriation Act and passed by parliament, it shall be placed to the credit of the several provinces according to population, and ear-marked as assistance this government has made to the provinces for the construction of roads and bridges. It says in section 6, instead of the minister having to go to the province and get the consent of the legislature that he can make conditions with the province in respect to such expenditure, which is still stronger than he provided for in section 6.

Hon. Mr. LOUGHEED—Let us assume for the moment, that each province is en-

titled to $50,000 say that in the province of Ontario, in addition to the expenditure of that $50,000, it is necessary to build a road for purely federal purposes and the Dominion government should spend another $50,000 on the construction of that purely federal work; under this Act, as you now have it amended, $50,000 would have to go to every province in the Dominion in addition.

Hon. Mr. THOMPSON—If we divide the money equally among the provinces, I do not quite appreciate that view of it. Section 6 does not say that the government can take advantage of the consolidated funds in addition to the money specifically voted.

Hon. Mr. LOUGHEED—The Bill now reads that way under the amended section.

Hon. Mr. THOMPSON—I do not think so.

Hon. Mr. LOUGHEED—Yes there is no question about that.

Hon. Mr. DANDURAND—This 6th clause was struck out while I happened to be out of the Chamber and I did not hear the remarks that were made. If hon. gentlemen will allow me, I shall answer the arguments my hon. friend puts up now in defence of clause 6. When the government decides that it will divide the money in proportion to the population of the various provinces, then it recognizes that the construction and improvement of highways will remain, where it belongs, with the province and the municipality. The provinces will carry on this work. Clause 6 says that under an arrangement sanctioned by the legislature and the Lieutenant Governor in Council, the federal government may do it. I do not see how this can be carried out when the principle of the Bill is that the money will be distributed among the provinces. When I put the question: 'What is the usefulness of clause 6?' The leader of the House said yesterday that it may be for the construction of a special road for federal purposes. This carries us very far from the principle of the Bill which explains why this policy is entered into. If there is any special circumstance by which the federal authorities may deem it in their judgment useful to carry on such a work, then it seems to me it will be the duty of the federal government to seize parliament with such a demand and to ask a special vote for that object.

Hon. Mr. LOUGHEED—That is what it involves.

Hon. Mr. DANDURAND—When my hon. friend is asked what he will do under that clause 6, his only answer is that possibly a condition may arise where the federal authorities may need to expend a certain sum for the building of a federal road. I have heard my hon. friend from Portage la Prairie (Hon. Mr. Watson) say: 'What does that mean—a federal road.' We have no such thing as a federal road. My hon. friend cannot foresee any condition other than the possible building of a federal road which would justify the federal authorities in utilizing clause 6. When you declare that the money will be apportioned among, and paid over to the provinces, it means that the federal government will allow the provinces to carry on that work of road building. If, at the conference which will take place after this session, it appears that this legislation needs to be implemented in the sense of clause 6, the government will then be in a position to show this Chamber why it should substitute itself to the provinces in the building of roads and bridges.

The SPEAKER—I would ask the hon. gentleman if he knows the surroundings of Quebec where the forts are?

Hon. Mr. DANDURAND—Yes.

The SPEAKER—He will find there a federal road.

Hon. Mr. KERR—A military road.

The SPEAKER—Built by the federal government.

Hon. Mr. DANDURAND—Before this Act.

The SPEAKER—Yes.

Hon. Mr. DANDURAND—The government can continue to do it after this Bill becomes law.

The SPEAKER—There are federal roads in existence.

Hon. Mr. DAVIS—We will build Roman roads and have chariot races.

Hon. Sir MACKENZIE BOWELL—I should like to ask the hon. gentleman who has just spoken (Hon. Mr. Dandurand) if there is anything in that whole Bill which permits the expenditure of a single dollar without the consent and approval of, and agreement with the local government, which is interested in it. In this particular clause 6 there is a proviso protecting the interest of the province and also of any municipality.

There is a proviso 'Provided, however, that the minister shall first obtain the necessary authority from the legislature of such province and the consent of the Lieutenant Governor in Council.' So, that, until the provinces have given their consent, the expenditure of a single dollar on any road cannot be made, until it has first been approved by the legislature of that province and by the local government. Why, there is every protection to prevent the Dominion government from expending this money in the manner in which it has been repeatedly insinuated they might expend it. I am delighted to see the position taken by my hon. friend from De Lorimier (Hon. Mr. Dandurand), because it strikes me, and I think it must strike every senator who has listened to him, that he is trying to square himself with the country for the vote he has given, anticipating that what he has done may deprive the provinces of receiving a Dominion grant and a subsidy for the construction and betterment of their roads. On a little further reflection, I trust that the hon. gentleman will regret the action the majority of this Senate have taken.

Hon. Mr. DAVIS—My hon. friend from New Glasgow (Hon. Mr. Bell) said this afternoon that the government could vote money anyway and expend it without this Bill.

The SPEAKER.

Hon. Sir MACKENZIE BOWELL—I am not responsible for him; he will take care of himself.

Hon. Mr. DANDURAND—I simply wanted to say to my hon. friend from Hastings that under clauses 3, 4 and 5 the federal government will carry out this policy as enunciated in the preamble of this Bill and by the representative of the government in this House, and if it needs the implementing of this Act for unforeseen circumstances or conditions, as suggested by the hon. the Premier of the Dominion, then very likely the government will have to come back, after finding those conditions, to explain them to parliament. The government states that its policy is to help the provinces by voting them grants. Why is it assuming that the provinces will refuse the money and will ask the government to keep that money and to build those roads itself. The federal government surely does not want to go into road building.

Hon. Sir MACKENZIE BOWELL—I hope my hon. friend will forgive me for differing from him as to the construction of those clauses. Whilst clauses 3 and 4 give certain powers as to the manner of constructing these roads, clause 6 goes beyond that and gives authority to the Dominion government to enter into certain negotiations with a province to do that which neither clause 3 nor clause 4 provides for. That is all the difference.

Hon. Mr. KERR—I ask the indulgence of the House for a few moments, as I want this matter to be understood. In the first place, I want to call attention to the fact that clause 3 provides, in very ample manner, for the grants of money to the various provinces. There is no limitation to the amount so far as this statute is concerned, and the money which goes through is to be a grant to the province, and the province will have the expenditure of it. In the province of Ontario I know there are somewhat similar proposals with reference to dealing with the improvement of highways; and my idea is, instead of a province working in one line and the Dominion working on another line—the prov-

ince making one road and the Dominion making another—one on one principle and another on another—that it is very much better that wherever there has been adopted, or is yet to be adopted, a plan for the making of highways in a county or a province, there should be a uniformity of plan, or action, or system, or method of working it out. That is what I have in mind in this clause, and I was drawn to it from the fact that in the province of Ontario we have a workable system which, to my mind, is as perfect a system as you can have for the encouragement of the improvement of highways.

The province of Ontario, in 1877, set apart $1,000,000 for the improvement of highways, and have since intimated their intention to implement that by five millions more, showing that they have had encouragement in doing this work, and have seen the necessity for carrying it out, and that the plan on which they have started is one which is calculated to work out a real reform with reference to public highways. Under those circumstances, I think, it would be a desirable thing that whatever money is spent is properly expended. Remember, clause 3 is not that the Governor General is to make a road, but he is to grant to the provinces, by way of aid, a sum of money, and if this clause which was carried this afternoon is to be the law, or if the declared intentions of the government are to be carried out, that money will be distributed in the provinces in proportion to the population, and the province of Ontario will have therefore, granted to it, under clause 3 a sum of money in addition to what they themselves may expend. What is the plan which the province of Ontario has adopted? It is to be found in the statutes of Ontario, 1907, chapter 16. It is as follows:

> The sum of one million dollars is hereby set apart to be paid out of the Consolidated Revenue Fund to aid in the improvement of public highways, subject to the terms and conditions herein set forth.

The plan is that the county council of the county in which the roads are to be improved is to pass its by-laws designating the highways to be assumed and improved, and intended to be formed and added to the system. It is called the plan or system, and to forward that plan the county and the province are to contribute equally to work it out. Then that may be extended into towns and villages. There is a method of ascertaining what the expenditure should be, and the manner in which it should be used under the government officials; those government officials are to determine how it is done, and the work is to be supervised by the provincial officers of the Public Works Department. I cannot conceive a better plan for encouraging the improvement of roads, or a better way of working it out. I understand the plan in Quebec is very similar, and I do not see why it should not be worked out in the same way, I have no doubt whatever, with this Bill and this offer, that other provinces will be glad to avail themselves of it, and instead of the Dominion going into a province and invading it with what they call a Dominion road, but really a local work, and starting on the expenditure with perhaps different plans and methods and interfering with plans which have been adopted and approved of by the provinces and the county council, there will be a uniformity of systems, a uniformity of work, and a more beneficial result arrived at than by any other plan I can think of.

Hon. Mr. TAYLOR—When a conference takes place between a province and the Dominion, if it must be had before any money is expended, would not the province which adopted these rules and regulations bring them forward and insist upon adopting them? Or they might improve upon them by suggestions made in the conference between the provinces and the Dominion. Then why tie them down to this arrangement?

Hon. Mr. KERR—My answer to that is that I am strongly convinced that a plan of this kind can be worked out better, and of course it is still open to the Dominion to impose their conditions. If there are any special conditions they can be attached, but it will not be necessary for the government to send the paymaster there; it will not be necessary to canvass for labourers to be employed on the road, nor will it be necessary for the Dominion to have a staff of officers to see how this work is carried out. There will be responsible provincial

officers, as well as county officials, and after all you must remember that this money is not the money of the government, but of the people. And if you set that apart to be expended in a locality or municipality, the people of such localities will get the most out of the appropriation, and you will get rid of many evils which will creep into a system which looms up as a Dominion work, besides getting beneficial results such as will flow from an expenditure of the money of the people by the people and for the people. That is the advantage to be had out of that. It has been said that the government, if this amendment should be adopted, could not go into a province and expend money in this way without getting the consent of the government of the province. What harm is there in being required to get the consent of the province to expend money in any work of this kind? It seems to me that the mere statement of the thing is the best answer to the objection which has been taken. I move, therefore, that the clause be amended by adding the following:

In case a plan or system for the improvement of highways has been, or may hereafter be adopted in any province under any Act of such province, the amount apportioned to any such province as hereinbefore provided shall be applied and expended in the same manner as the moneys provided in such Act.

To my mind that will be a distinct improvement, and I do not understand why there should be any objection to it.

Hon. Mr. POWER—One of the drawbacks to the amendment is that it conflicts directly with the clauses of the Bill that we have already passed. This amendment leaves the Dominion government no choice as to the way in which the money is to be spent; it is to be spent according to the provincial law for the time being. What does clause 3 say? It says that the Governor in Council may in any year and on such terms and conditions as are prescribed by order in council do certain things. It is not according to the provisions of the Ontario or any other provincial Act, but according to the terms and conditions prescribed by order in council. Then under clause 4 the specifications &c., are to be approved by the Governor in Council on the report of the minister. That is not the provincial law at all. It is perfectly clear that this amendment conflicts directly with what we have already passed in the Bill. Then, the Bill provides further that each highway or bridge to be constructed or improved shall be defined in such agreement—that is, the agreement between the minister and the province. That is not in the provincial law now. It has been declared by hon. gentlemen who have spoken in favour of these amendments to the Bill, that they did not wish unduly to hamper the Dominion government, that they wished to leave their hands as free as possible. If, after passing the clauses we have already passed and making the declarations we have made, we adopt this amendment, we are simply showing that we do not understand the meaning of the English language.

The amendment was declared lost.

On the title,

Hon. Mr. DANDURAND—Might it not be better to let the Bill remain in committee in order to give the leader of the House an opportunity to examine these amendments and see if they call for any further suggestion on his part?

Hon. Sir MACKENZIE BOWELL—What object can there be in remaining in committee?

Hon. Mr. DANDURAND—I am not moving to that effect.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is suggesting that the leader of the government should allow the Bill to remain in committee; I suppose it is quite in order to ask why such a suggestion is made?

Hon. Mr. DANDURAND—It struck me that, possibly, the leader of the House would likely examine the amendments more closely, and see if there is anything he would like to suggest in view of the amendments we have made. My claim is that he will find them in line with his own expressed policy.

Hon. Mr. POWER—I think the leader of the House ought to be able to judge for

himself; and, further, I do not think we need read the Bill the third time now.

Hon. Mr. LOUGHEED—I did imagine that I could think for myself in this matter, but apparently my hon. friends on the other side of the House thought I was not in a position to do so—at least that I could not see eye to eye with them. However, where men differ so widely as we do on this Bill, it might be better to accept the suggestion of my hon. friend, and I therefore move that the committee rise, report progress, and ask leave to sit again.

Hon. Mr. ELLIS, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again on Monday next.

CIVIL SERVICE ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (106) An Act to amend the Civil Service Act.

(In the Committee.)

Hon. Mr. LOUGHEED—This is a Bill the major portion of which, if not substantially the whole of it, was introduced, or prepared to be introduced, at the last session of parliament, but owing to the premature dissolution of parliament is did not go through.

On clause 3,

3. No person shall be eligible for the position of third class clerk in a city post offiec unless he has passed either the civil service preliminary or the qualifying examination, or is a graduate of the Royal Military College or of a university of Canada, and, except as to persons in the civil service at the time this Act comes into force, no third class clerk, who, on appointment, had passed the preliminary examination only, shall be eligible for promotion to a higher class until he passes the qualifying examination, or unless he is a graduate of the Royal Military College or of a university of Canada.

Hon. Mr. POWER—The hon. gentleman might tell us what the increases are. I am interested in two or three city postmasters and I should like to know.

Hon. Mr. LOUGHEED—The object of the Bill is to deal with the classification in the post office outside service. It dispenses with senior and junior classes and creates new classes, namely, grades A and B. It does away with the stampers and sorters of the 4th class and junior 3rd class, putting them into the 3rd class. Grade B, stampers and sorters, under existing law receiving $500 can go up to $600 with increments of $60 a year. The 4th class commences with $500 and goes to $700 with increases of $100 a year. The junior 3rd class goes from $700 to $800. All these are replaced by grade B and the officers in this class will receive $500 and go to $800, with annual increases of $100, a very small increase in each case. I might say that another object in so classifying these officials is with the ultimate result of bringing them within the Civil Service Act, or within the inside service. They are all now in the outside service.

Hon. Mr. DAVIS—Has the government considered the proposition of increasing the salaries of the postmasters of the rural districts?

Hon. Mr. LOUGHEED—I am sorry to say I cannot answer that question; that would come under a different service. This deals with the larger cities and larger post offices.

Hon. Mr. DAVIS—The men who render the greatest service for the smallest amount of remuneration in the country are the rural postmasters. They receive $25 a year.

Hon. Mr. TAYLOR—$35.

Hon. Mr. LOUGHEED—When they are let out of office they seem reluctant to go, notwithstanding their salaries.

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

INCORPORATION OF RAILWAYS BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (B) An Act to provide for the Incorporation of Railway Companies.

(In the Committee).

On clause 5,

5. The provisional directors shall cause to be made by a competent engineer, from actual examination and survey, a plan, profile, re-

port and estimate of cost, on such scales and for obtaining such information and in such detail, as may be required by regualtions in that behalf to be made, by the Board of Railway Commissioners for Canada, or as may be required by special order of the Board made when necessary.

2. The plan, profile, report and estimate shall contain generally all necessary information as to—

(a) the character of the country through which the proposed railway is to pass and the feasibility of the proposed route;
(b) the proposed gradients;
(c) all existing railways and highways to be crossed and the mode of crossing proposed in each case;
(d) all rivers, streams and watercourses, to be crossed or diverted, specially distinguishing such as are navigable waters, and giving in each case the nature and estimated cost of the proposed bridge, tunnel, ferry or other means of crossing, or of the proposed diversion;
(e) the kind and amount of excavation, embankment, masonry and other sorts of work;
(f) full information as to the manner of constructing the proposed railway and the standard to be adopted therefor both as to its construction and equipment.
(g) everything necessary to enable the Board of Railway Commissioners for Canada to determine whether the certificate provided for by this Act should be granted by the board.

Hon. Mr. WATSON—Is the incorporator supposed to have plans with all those details to file with the board before he can get letters patent?

Hon. Mr. DAVIS—Yes.

Hon. Mr. WATSON—Who will pay the expenses? They will not have any incorporation. It will cost a lot of money to make plans and surveys.

Hon. Mr. DAVIS—If you read the first part of the Bill you will find there a provision for the incorporation of a number of gentlemen who may wish to be incorporated, and for them getting the money, etc., before they can do anything. They have to do this work, that is all.

Hon. Mr. WATSON—They have to file plans.

Hon. Mr. DAVIS—So they should, and they should have some money.

Hon. Mr. WATSON—Who is going to pay for them?

Hon. Mr. DAVIS—The association they have formed. Look at the first page. I suppose if a number of parties assoicate themselves together for the purpose of building a railroad, if they are serious about it they are going to have some money; if they are not serious about it, the objection that my hon. friend takes might come up, but the country would not be hurt. If that class of men cannot get enough money to pay for a plan I don't think they should be considered as serious railroad builders in this country.

The clause was adopted.

On clause 14,

14. When any railway company is incorporated by an Act of the parliament of Canada, or its undertaking is declared to be a work for the general advantage of Canada, any extension of the railway of such company not heretofore authorized shall be subject to the provisions of this Act with respect to notice and to the submission to the Board of the plan, profile, report and estimate provided for in section 5 of this Act.

2. Upon the Board being satisfied that all the requirements of this Act and of the Railway Act applicable thereto have been complied with, the Board may fix the amount of securities which the company may issue on the said extension, and may give such other powers provided for by this Act as it deems necessary, and may thereupon grant a certificate that public necessity demands the construction of the railway applied for, and that all the provisions of this Act and of the Railway Act and all regulations of the Board have been complied with.

3. The applicants may thereupon file the said certificate with the Secretary of State, who shall, upon the payment of the proper fees, grant letters patent under his seal authorizing the construction of the railway.

Hon. Mr. TAYLOR—Might I inquire for information whether this Bill has been before the Railway Committee?

The CHAIRMAN—Yes, it has been before the Railway Committee, and they shoved it up to the House.

Hon. Mr. TAYLOR—They have dealt with it?

The CHAIRMAN—Yes.

Hon. Mr. TAYLOR—And recommended its adoption by the House?

The CHAIRMAN—Yes; not very strongly, as far as I can remember.

Hon. Mr. DAVIS—I may tell my hon. friend, if he wishes for information, that this Bill has for three years been on the

files, and I think every member of the House has read it. It has been submitted to the different people who are interested in railway building, the Canadian Pacific railway and the Grand Trunk railway, and they have expressed their approval. The Chairman of the Railway Committee of the House of Commons has also gone carefully through it and expressed his approval of it.

Hon. Mr. TAYLOR—I was not a member of the House for the last three years, and not a member of the Railway Committee this year, and I wanted to know, when the Bill is being railroaded through at this rate, whether it had the approval of the Railway Committee or not.

Hon. Mr. DANDURAND—The hon. gentleman I think would have plently of occasion to examine the Bill again, because I doubt if the father of the Bill has the faintest hope that it will become law this session.

Hon. Sir MACKENZIE BOWELL—Every clause of this Bill was passed by the Railway Committee.

Hon. Mr. WATSON—For the information of the hon. gentleman, who is not a member of the committee, I might say that this Bill was referred to the Railway Committee, and then referred to a sub-committee of the Railway Committee, who reported back to the Railway Committee that they had such confidence in the drafter of the Bill and the Bill itself that the sub-committee did not even take time to read the clauses, and the Railway Committee passed it on back to the House without reading the clauses: so you have the Bill, and it is passing through here in about the same way.

Hon. Mr. YOUNG—What provision is made for surveyors to go on to property and survey and make the plans required?

Hon. Mr. DAVIS—It is mentioned in the Bill. I think if you go through the whole Bill you will find it.

Hon. Mr. YOUNG—I want to see the clause. Under the charter they would have certain rights.

Hon. Mr. TAYLOR—Would it not be well for the committee to rise and report progress, in order that we may have time to get information about this Bill? My hon. friend from Portage la Prairie (Hon. Mr. Watson) says it has been before the Railway Committee; they appointed a special committee, that committee sent it back to the Railway Committee, and they submitted it to the House, without making any report.

Hon. Mr. DAVIS—The Bill has been reported in the ordinary way.

Hon. Mr. DANDURAND—The subcommittee was appointed with the view of getting the opinion of experts, such as the gentlemen sitting on the Railway Board. They could not succeed in getting that opinion. They reported the Bill to the Railway Committee which in turn reported it here. In order that I may define my own position towards the Bill, I may say, that I felt from the outset, that this was such an important departure in the work which has been confided heretofore to parliament, that I have presumed that the government should express its views upon the principle of this legislation. It seems plain to me that this Bill will not go through without the governmentt assuming the responsibility for its final adoption. Perhaps it is with a view of calling the attention of the Minister of Railways to the fact that this Bill has been three times before the Senate, that the hon. gentleman desires it to be sent over to the Commons.

Hon. Sir MACKENZIE BOWELL—I think the report of the committee will answer the question:

> The Standing Committee on Railways, Telegraphs and Harbours to whom was referred Bill (P) intituled: An Act to provide for the incorporation of Railways, has, in obedience of the order of reference of November 23, examined the said Bill and now beg leave to report the same without any amendment.

That has been adopted by the House.

Hon. Mr. ELLIS—While I sympathize with the idea that there should be a general law, yet I think, in view of the progress that has been made to-night, that we should take our Easter holiday before we go any further with it. The Bill is not

a measure that the government of the country could apply to railroad making. I do not think we should go through this Bill in the absense of my hon. friend behind me (Hon. Mr. Beique), who is learned in matters of this kind.

Hon. Mr. DAVIS—The hon. gentleman who sits behind my hon. friend has had three years to examine this Bill, and has not offered any criticism. I have given a great deal of thought to this Bill. It has been looked over by a number of legal gentlemen, by our law clerk and by three different railways, who have given their consent to it. If this measure were put into force to-morrow, it would not interfere with anybody coming to parliament and asking for a charter for a railway, provided the rules of the House allowed them. We all know that this House has been kept for nearly a month every year considering a lot of useless charters applied for by chartermongers. Gentlemen have expressed fear of a measure of this kind. They do not express any fear in giving a charter for a couple of thousand miles of railway to some gentlemen who could not buy a jacket for a flea, who have absolutely nothing. They give them power to go through your property and my property, and cut down timber and anything else, without making any provision for remuneration. I suffered in that respect last year; one of these chartermongers went through a timber limit of mine, and who is going to pay me for the damage? I say we have not been serious in the granting of charters. We give these men power of expropriation, and the right to go in and tramp over people's property without enquiring into bona fides, and seeing that they are prepared to do business. If you look at the map upstairs, you will see that it is cut up from one end to the other with railway charters.

We have over two hundred thousand miles of these paper railroads. These promoters travel to London and get hold of some people who are not very well posted, show them an Act of the Canadian parliament, signed and approved by the Governor General of this country, and on the strength of that persuade people to put up a few thousand dollars. Should that not be stopped? If this Bill becomes law and the House sees fit to change the rules, bona fide propositions will be received and these wild-cat schemes will be prevented. These people keep the law clerks of the House of Commons and the Senate busy for nothing, preparing documents which are peddled around, showing people that such an Act was passed.

Hon. Mr. BOSTOCK—They will get their charter just the same, in spite of this Bill.

Hon. Mr. DAVIS—If the House wish to change their rules they can close out all the chartermongers and force them to obtain a charter under this Bill. That will cost a lot of money under this proposal.

Hon. Mr. DANDURAND—Should we not impress upon the leader of the government the necessity of having a pronouncement at the opening of next session upon the policy of the government towards this legislation? I do not suppose it will be taken up by the other House at this stage of the session.

Hon. Mr. LOUGHEED—I was going to suggest that, as the committee has gone through the Bill, the Chairman should report progress and leave it at that.

Hon. Mr. DAVIS—I am satisfied.

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

TARIFF COMMISSION BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole on Bill (88) An Act to provide for the appointment of a tariff commission.

In the Committee.

On clause 3,

There shall be a commission to be called the Tariff Commission, consisting of three members appointed by the Governor in Council.

2. One of the commissioners shall be appointed chairman and another vice-chairman by the Governor in Council, and at sessions of the commission the chairman shall preside, and in his absence the vice-chairman.

3. Each commissioner shall hold office for a period of five years from date of his appointment, but may be removed by the Governor in Council at any time for cause.

4. A commissioner, on the expiration of his term of office, shall be eligible for re-appointment.

Hon. Mr. DAVIS—I move that we insert after the words Governor in Council the following:

One of whom shall be acceptable to the labour interests of Canada as expressed by the labour organizations in Canada and the other of whom shall be acceptable to the agricultural interests of Canada, as expressed by the organized bodies of agriculturists of Canada.

I think that the labouring people have as large an interest in getting proper evidence to be submitted to the government with reference to the tariff as any other body of people in the country. They comprise the larger portion of the people in Canada and are the great body of consumers, and there is no way in which they can be assisted by tariff arrangements with the exception, as I have said before, of reducing the cost of living. Every proposition with reference to tariff improvement that I have ever seen presented to the people of this country contains a clause which provides that the government shall protect the labour interests. I wish to point out that you cannot protect the labouring interests of the country. The labouring man sells his labour in a free trade market. We bring immigration from all over the world, and the greater the immigration the keener the competition in labour. The labouring man in British Columbia has to compete with Hindus, Japanese, Chinese and all classes, and what protection is there for the labouring man in that province? The only thing you can do for him is to reduce the cost of living. Surely the labouring man is interested in the price of boots, and if the tariff is going to be high on boots and increase their cost, he certainly is interested in having a reduction on the tariff on that article. The same applies to the clothing for his family and the furniture in his house. There is not a thing the working people of this country have to buy under our system but has to bear a large share of taxation. Manufacturers are interested in the tariff, because they desire to get a little more for the commodities they have to sell, and they do not care who is injured by it as long as they make money. The government propose to appoint three tariff commissioners. It has been suggested during the discussion here and in the House of Commons, that the tariff commissioners are going to be appointed from among the protectionists. Supporters of this Bill in another place have no hesitation in stating that these men must be protectionists, in sympathy with the government in power. Of course they will be biased before they commence to investigate. They will lean to the side of protection; whereas, if the government appointed one man whose interest was not in protection but was with the great bulk of consumers who wished to keep down the cost of living, they would probably receive better advice from those appointed under the present proposition. No class of men have more right to claim representation than the labouring men. The labour unions possess some of the brightest men in the country. They have a gentleman in the House of Commons who is a credit to any section of the community. He made an address the other day that opened the eyes of a good many people with reference to trusts and combines. They have a representative in the House in Toronto; they have men quite capable of being placed on that commission, and I think it is the duty of the government to appoint one of them.

Under our system we have built up and developed combines and trusts and mergers in this country. Everybody knows that those trusts and combines have issued a lot of stock that is nothing but wind and water, and that to-day they are getting, and they expect to continue to get, dividends not only on the capital invested in those industries, but on the watered stock as well. The cost of living has gone up all the time, but the wages of the labouring men have not gone up in proportion. Now, if the water were squeezed out of the mergers and those gentlemen who are manufacturing in this country allowed a fair return on the money invested, nobody would object at all, because everybody wants to allow what is right; and if they took the balance, which represents the

dividends that go to water and to wind—this so-called stock that we know is wind and water—and divide that money up amongst the labouring men and artisans that are working for them, there would not be so much complaint. The labouring men of this country want to see that when the investigation takes place they get right to the bottom of these things and expose all the wind and water that is now in the stock of those institutions. They want to prick the bubble, and see that those people will be allowed only interest on the money actually invested; then the labouring men will be able to get larger remuneration for their labour. As it is now, they get a very small measure of what is made by the manufacturers, the largest bulk going to the men who can control tariffs because the labouring men cannot do so. Therefore, I say, there is no class of people in this country who have as much interest as the labouring men in having a representative on that tariff commission.

In reference to agriculture, is there anybody who will tell me that the farmers, who produce the whole wealth of the country, are not entitled to some representation on that commission?? There is not one single thing that the farmers of the west place on their farms in the way of machinery that they are not taxed for. The manufacturer is allowed to bring in his raw material free, but the farmer has to pay taxes on everything. If he improves his place by hard work and industry and places on it $1,000 worth of machinery, he is taxed to the extent of 17½ per cent. Surely the manufacturer is not the whole thing. We hear of Canada for Canadians, it will soon be Canada for the number of Canadians you can count on the fingers of your two hands.

Hon. Mr. TAYLOR—If the manufacturer had to pay duty on this raw material, would not the consumer have to pay more for the manufactured article?

Hon. Mr. DAVIS—He could not increase the price any more than the duty would allow him. I am not objecting to the manufacturer getting his raw material free, but I say the farmer is entitled to some consideration. He pays taxes on everything he uses. The wealth that is produced by the agricultural classes goes into the pocket of the manufacturer, and the farmer should have a representative on that commission so that he can see what is being done. Nobody has ever asked for a commission, except the Manufacturers' Association. The labouring people and the farmers will have to watch that commission. I do not think a farmer or gardener who lives near a manufacturing town would be a proper representative. I want a man who will represent the agricultural interests from the Atlantic to the Pacific. It has been demonstrated by the deputations of farmers that we have had down here, that we have just as good men handling the plough as any other men in this country, men of just as much ability. There would be no trouble in getting a proper person from among the agriculturists of this country to put on that commission, and the same thing applies to the labouring people. The labourer sells his labour in a free market, and he has to buy his necessities in a protected market.

Hon. Mr. LOUGHEED—I need not say we could not accept an amendment of that character.

Hon. Mr. DANDURAND—I have examined the amendment which is so vague and general in its terms that I cannot conceive how it can be carried out. I am not disposed to incorporate this amendment in the law, but I think the government might well take note of the suggestion that has been made.

Hon. Mr. LOUGHEED—Yes, we will keep it in view.

Hon. Mr. DANDURAND—You might put on the board a representative from the west who knows the needs of the west. When the Railway Commission was formed we made it obligatory that the government should appoint a lawyer as Chairman of the board, but I think there was some kind of enactment as to what class the other members should belong.

Hon. Mr. LOUGHEED—No.

Hon. Mr. DANDURAND—Was it not enacted that the farmers would have a representative and was not Mr. Greenway

appointed on the board, as the representative of the farmers.

Hon. Mr. BAIRD—Not at first.

Hon. Mr. DANDURAND—This is a question for the government. It should be interested in having a man on that board who will represent the consumer as well as the producer. It may be said that men will be selected who will have greater aptitude for the position, yet the remarks made by my hon. friend from Prince Albert (Hon. Mr. Davis) are worthy of attention.

Hon. Mr. DAVIS—I am sorry to have the pronouncement that the government refused to recognize the labouring classes and the agricultural class of this country in these appointments. My hon. friend said the amendment was rather crude, though it was drafted by the law clerk: but if the government wished to adopt the principle as laid down by me, the combined wisdom of this House could frame a clause that would be all right. There is no use dodging behind the phraseology of a clause in order to get away from the facts of the case.

Hon. Mr. LOUGHEED—The government represents all classes of this Dominion, and will assume full responsibility for any appointments made, and will have to assume that responsibility before the people of Canada.

The amendment was declared lost.

Hon. Mr. YOUNG, from the committee, reported that they had made some progress, and asked leave to sit again at the first sitting on Monday.

The House adjourned till Monday at eleven a.m.

THE SENATE.

MONDAY, March 25, 1912.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and Routine Proceedings.

SESSIONAL INDEMNITY TO SENATORS.

INQUIRY.

Rt. Hon. Sir RICHARD CARTWRIGHT in the absence of Hon. Mr. Davis, inquired:

Is it the intention of the government to place a sufficient sum in the supplementary estimates to indemnify the senators who suffered by the wording of the Act in which it says, that a senator shall be fined for non-attendance every day of each session instead of every sitting day, as the new statute now reads?

Hon. Mr. LOUGHEED—As yet I have not been able to induce the government to do that.

Rt. Hon. Sir RICHARD CARTWRIGHT—I suppose that those gentlemen's names will therefore appear in default in the Auditor General's Report?

Hon. Mr. LOUGHEED—Do I understand my right hon. friend to confine his question to the matter of fines?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes.

Hon. Mr. LOUGHEED—So far as the balance showing indebtedness on the accounts to the Crown by those gentlemen for non-attendance, of course one will never hear of that again; as to the question of indemnity I have not been able to secure the provincial vote for it as yet.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think the intention is merely to relieve them from the fine?

Hon. Mr. POWER—It is more than that.

Rt. Hon. Sir RICHARD CARTWRIGHT—Then let the question stand until Mr. Davis is here.

Hon. Mr. CLORAN—Would it not be well for the hon. gentleman to tell his colleagues that it is not fair or just that senators appointed towards the end of the session should be fined because they were not here before they were appointed? I believe a court of law would give a decision against the government in such a case. The government have no right to fine a man under the circumstances.

The question was allowed to stand.

MARINE INSURANCE ON THE ATLANTIC COAST.

MOTION.

Hon. Mr. DANIEL moved:

That an humble address be presented to His Royal Highness the Governor General; praying that His Royal Highness will cause to be laid before the Senate a detailed state-

ment of the aids to navigation that have been established on the Canadian Atlantic coast and its waters, including the Gulf and River St. Lawrence and the Bay of Fundy, during the last ten years; also, a statement of the rates of marine insurance between Canadian Atlantic ports, including those in Gulf of St. Lawrence and the Bay of Fundy and ports in the United Kingdom; also, the rates of marine insurance between the ports of Boston and New York and ports in the United Kingdom; also, what change, if any, has been effected in insurance rates between Canadian Atlantic ports and ports in the United Kingdom, by the establishment of aids to navigatio during last ten years.

Hon. Mr. POWER—I assume that the hon. gentleman from St. John proposes to make some observations in connection with this motion which is a very important one.

Hon. Mr. DANIEL—I did not propose at this time to make any observation. I am merely moving for a return which will give the information I must have in order to carry on the future proceedings which I purpose taking, probably not this session, as it is so late; but after gaining the information which this return will give, it will put me and hon. gentlemen in this Chamber in possession of facts which are necessary in order to carry on the future action which I intend to take on the subject of Marine Insurance on the Canadian Atlantic coast.

Hon. Mr. POWER—The matter, as I have said, is a very important one, and I am sorry that the hon. gentleman from St. John has not thought proper to give the House a little information on the subject in advance. I assume, however, that he will talk the matter over with the Minister of Marine and Fisheries, who, I understand, proposes to go to England very shortly. This subject of Marine Insurance rates is one which the minister would be likely to take up with Lloyds, because Lloyds in England are independent of the government; still the British government might be able to influence the Insurance Association to some extent. The present system adopted by Lloyds is most unjust and inequitable. Rates which they charge for insurance from England to Canadian ports are much higher than those that they charge to ports in the United States. There may have been some excuse years ago—I do not say there is much excuse to-day—for charging a considerably higher rate to ports on the river and Gulf of St. Lawrence than to ports in United States; but, as the hon. gentleman's notice indicates, Canada has spent a very large amount of money in improving the navigation of the St. Lawrence and lighting the gulf and river and there should not be now the discrimination against St. Lawrence ports that really exists. Whatever may be the case with the ports on the Gulf of St. Lawrence, the present condition of things is merely a survival of the past; but for the Atlantic ports—take the port of Halifax—the rates of insurance from England to Canada, I think, are about 30 per cent higher than the rates to Boston. Halifax is 400 miles nearer to England than Boston is. Halifax is situated on the open Atlantic, and shipping going to Boston has to pass by the mouth of the Bay of Fundy and, by Cape Sable, which is a more or less perilous region, whereas going to Halifax a ship escapes all those risks. There is no easier or safer port to approach and there is no justification whatever for the discrimination against the port of Halifax as compared with the port of Boston. The Halifax Board of Trade, the mayor of Halifax and the leader of the Nova Scotia government, when in England some years ago, did make representations to Lloyds' about this matter, but nothing was done, and it seems to me that unless pressure is brought to bear on Lloyds' committee by the government in England, or unless steps are taken in this country to establish an independent insurance company, Lloyds' are not likely to do anything. The question is a very important one, and I think it is well that the hon. gentleman has brought it up.

The motion was agreed to.

YUKON ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (No. 123) An Act to amend the Yukon Act.

He said: The object of this Bill is to make a change in the judiciary of the Yukon territory by reducing the number of judges. Under the present law a provision exists, and we are working under that provision, that three judges shall constitute the judiciary of Yukon District. These judges

are entitled to a salary of $5,000 a year and an allowance of $5,000 for living expenses. Owing to the reduction in population and the corresponding reduction in all other interests in that remote section, it is now ascertained that one judge can perform all the duties incident to the judiciary of that district. It has therefore been suggested, and that suggestion is embodied in this legislation, that two of the judges who have expressed their willingness to comply with the arrangement, should accept a retiring allowance of $5,000 a year during their lifetime. The country would thus save $10,000 a year.

Rt. Hon. Sir RICHARD CARTWRIGHT —Is it not possible to employ these gentlemen otherwise under the law?

Hon. Mr. LOUGHEED—No, because the judges were appointed for the Yukon Territory. There is no machinery of law on the statute-book by which you could compel those judges to accept positions elsewhere. It has however been provided that in the event of the government choosing at any time, owing to an increase of business in that territory, to increase the judiciary, that they should be sent back to the position they formally occupied. The Bill further provides that owing to the reduction of the judiciary, the court en banc of that territory should be the court of appeal in British Columbia.

Hon. Mr. POWER—This Bill marks a step in the right direction. I am sorry that the government have not taken a further step. I cannot see that there is any reason why, with a population of some 12,000, there should be all the machinery of government that we now have in Yukon Territory. The reasonable and natural thing now would be to annex the Yukon Territory to British Columbia. I suppose British Columbia will be willing to accept, and I think that is the reasonable and proper thing to do; then we need not bother making provisions with respect to the court to which appeals from the Yukon court shall go. I am pleased to see that the government sometimes, or in connection with some matters, recognize the desirability of economy.

Rt. Hon. Sir RICHARD CARTWRIGHT —Saving at the spigot and wasting at the bung.

Hon. Mr. POWER—Economy, as far as I can judge, has not been the general trend of their policy. Now I make this suggestion to the government: they are dispensing with the services of two judges, who will receive a retiring allowance of about $5,000 a year. These gentlemen who will, when this Bill passes, be ex-judges, would be just the men to appoint as chairman to some numerous commissions the present government are creating, and you can rely upon their being fairly judicial and non-partisan, as men knowing the law and of more then average ability. I think it would be, in every sense, wise in other ways as well as in the interest of economy, to find occupation for some of these judges as commissioners. Take for instance the commission that has been appointed to inquire into the constitution and administration of the civil service, one of those judges would be just the kind of man to appoint to that commission. The government could save a considerable sum of money in that way—the salaries of additional commissioners, or at least the retiring allowance of the judges, and I think that is the spirit which the hon. leader of the Senate seems to be filled with—of saving wherever we can. I do not wish to say any satirical thing like that said by the right hon. leader of the opposition,—that the government are saving at the spigot and wasting at the bung—even saving at the spigot is desirable.

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

Hon. Mr. LOUGHEED moved that the Bill be referred to a committee of the whole House.

The motion was agreed to.

(In the Committee.)

On clause 1.

1. His Majesty may, by letters patent under the great seal, grant to each of two of the judges of the Territorial Court of the Yukon Territory now holding office, an annuity equal to the salary of the office now held by him, which annuity shall commence immediately after his resignation and continue thenceforth during his natural life. Provided that if, in

the opinion of the Governor in Council, it becomes necessary or expedient at any time during the continuation of such annuities that there should be two or more judges in the said Territorial Court, or in any superior court of record in and for said territory, of if any judge of any such court should die, resign or otherwise vacate his office as such judge, the Governor in Council may appoint either or both of the judges receiving such annuity as aforesaid a judge or judges of such court, and if any judge so appointed, not being at the time incapacitated by illness or infirmity, does not thereafter perform the duties appertaining to such judgeship, such annuity shall forthwith cease and determine; but this provision shall not affect the authority of the Governor in Council to appoint any other qualified person to be a judge of such court.

Hon. Mr. POWER—There is a provision in this clause in case those judges are called back to duty, but there is no provision that if one of them is appointed, say a commissioner his salary as such commissioner and his retiring allowance as judge shall not run concurrently. It does happen sometimes that the two things run concurrently, and I think it is highly objectionable. When a gentleman drawing a pension is appointed to office or becomes a member of parliament, it is a very undesirable thing and carries one back to the reign of George III, to find a precedent. There does not seem to be any provision here for the case I have put.

Hon. Mr. LOUGHEED—We can only reasonably legislate along the line of the position which they occupy. If they should return to the bench, then, of course, the machinery of the Act would come into operation, but parliament would scarcely be justified in saying that if those gentlemen should accept other positions not akin to that of a judicial position, that they should receive no compensation. It seems to me it would be futile to make such a provision, because they would very naturally say, "We are entitled to a retiring allowance of $5,000 a year without doing anything; why then should we accept an office entailing further duty upon us and not receive compensation for it?

Rt. Hon. Sir RICHARD CARTWRIGHT—What is done in the case of the present Minister of Justice?

Hon. Mr. LOUGHEED—He draws his superannuation allowance entirely apart from his salary as Minister of Justice.

Hon. Mr. LOUGHEED.

Rt. Hon. Sir RICHARD CARTWRIGHT—That is an abuse that should be remedied.

Hon. Mr. LOUGHEED—It has obtained since confederation, under all governments.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is not creditable to us that a man who has retired at about fifty or thereabouts and has been allowed a pension should likewise be allowed to receive a large salary from the Dominion. In the British service that is not allowed. I remember while Sir Francis Hincks, who received a pension as Lieutenant Governor of the Windward Islands, was made Finance Minister of Canada, the government deducted his pension at once. They said it was practically holding two offices under the Crown. He was not allowed to receive his pension and a salary. That is an abuse which should be remedied and while I am not going to bring up the question now, I think it would be a very proper thing for the government to consider it during the recess, and if they do not this House should. I object to it entirely; I think it is utterly inconsistent and a practice which is liable to great abuse. A man may be appointed at 32 or 33 and then retire with a full pension at 48 or 50. I think that is the case of the Minister of Justice, and I say that it is a scandal that he should be allowed to retire under circumstances which the Act did not contemplate. Has he a pension of $5,000 a year?

Hon. Mr. DANDURAND—No, he has two thirds of his salary, which is not more than $6,000 and probably $5,000.

Rt. Hon. Sir RICHARD CARTWRIGHT—He gets $4,000 for doing nothing and $5,000 for attending to our business.

Hon. Mr. POWER—And $2,500 as a member of parliament.

Rt. Hon. Sir RICHARD CARTWRIGHT—I say it is a distinct abuse.

Hon. Mr. LOUGHEED—Much can be said both ways. I am not minimizing what my right hon. friend has said upon the subject; but here is a principle which has been embodied in our statute law since confeder-

ation but which has never been attacked, although it has been subjected to some criticism.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think no similar case has ever occurred.

Hon. Mr. LOUGHEED—I think it has.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think there is a case of a cabinet minister in my recollection, receiving a salary as cabinet minister and a pension at the same time. I think it should not be permitted.

Hon. Mr. LOUGHEED—I think there are cases where judges have held office after superannuation.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think it is only gentlemen who have been appointed to the Senate; the late Judge Gowan was one, and senator Ross another. I think these two cases did occur. On consideration, my hon. friend will see it is not a proper thing for a cabinet minister to be drawing a pension. I do not want to take away his pension, but he ought not to be drawing a pension as an ex-judge and also a salary as cabinet minister at one and the same time, whether he is a judge or not. I am aware that the legal gentlemen are very fond of having plums set apart for their special use, and that it is almost impossible to wrest anything from their legal jaws once they have closed upon it, but this is a matter which should engage the attention of the government. It would be far better dealt with by them than by either House. If they do not choose to deal with it, it must be brought up in the House. We cannot interfere with the pension, but we can see to it that the salary shall not exceed a certain amount.

The clause was adopted.

On clause 4,

4. Section 103 of the said Act is repealed and the following is substituted therefore:—

103. For the purpose of Part XIX of the Criminal Code, the court of appeal from the judgment of a police magistrate into a case where his jurisdiction is dependent upon the provision of the said Part with respect to police magistrates of cities and incorporated towns shall be the Territorial Court, and there shall be an appeal from the Territorial Court to the Court of Appeal of British Columbia.

Hon. Mr. POWER—What is the exact point of clause 4?

Hon. Mr. LOUGHEED—Section 103 of this Act makes provision in regard to appeals from the police magistrate to the territorial court, and this clause is simply adjusting it to the new conditions which have arisen.

The clause was adopted.

On clause 5,

5. When, under the provisions of the Dominion Controverted Elections Act, two judges are required for the trial of an election petition in the Yukon Territory, or for the hearing of a special case under the said Act, such judges shall be the judge of the Territorial Court and a judge of the Court of Appeal of British Columbia or of the Supreme Court of British Columbia, or two judges of the said courts of British Columbia, or either of such courts, and every such judge shall, for the purposes of the said Act, have all the powers of a judge of the Territorial Court.

Rt. Hon. Sir RICHARD CARTWRIGHT—Presumably it would be a matter of great inconvenience for a number of witnesses to be lugged down to British Columbia, if the trial of a controverted election is to take place, it should be held in Yukon.

Hon. Mr. LOUGHEED—If the balance of convenience would be in favour of a judge going to British Columbia, I think that would be done. I think there has never been a controverted election case in Yukon.

Rt. Hon. Sir RICHARD CARTWRIGHT—They are bound to go with the government.

Hon. Mr. LOUGHEED—They have shown a disposition that way—a tendency in that direction.

Hon. Mr. CLORAN—They know where the fat lies.

Hon. Mr. BOSTOCK—Will the judges be especially appointed?

Hon. Mr. LOUGHEED—They will be appointed under the Election Act.

Rt. Hon. Sir RICHARD CARTWRIGHT—They are chosen by the court, are they not?

Hon. Mr. LOUGHEED—I rather fancy if a judge of the court of British Columbia, would go there he would be named by the chief justice of his court and assigned to that particular duty.

Hon. Mr. CLORAN—That is the way now in the provinces; the chief justice designates the judge to try the election petition.

Hon. Mr. LOUGHEED—Yes.

The clause was adopted

On clause 9,

9. Any judge temporarily appointed to discharge the duties of the judge may, notwithstanding the expiry of the term of his appointment, or the happening of any event upon which his appointment terminates proceed with and conclude the trial or hearing at that time actually pending before him of any cause, matter or proceeding, and pronounce judgment therein, and may likewise pronounce judgment in any cause, matter or proceeding previously heard by him and then under consideration or reserved; and any such trial, hearing or judgment shall have the same validity and effect as if heard or pronounced during the said term or previously to the happening of the said event.

Hon. Mr. LOUGHEED. This is a new section. It simply makes provision for a judge temporarily appointed, if the resident judge is prevented through illness or from any other cause from acting. An assistant judge may be appointed for the time being.

Hon. Mr. CLORAN—That is a judge from another court?

Rt. Hon. Sir RICHARD CARTWRIGHT—Is that the case generally?

Hon. Mr. LOUGHEED: Yes, under the constitution of any court.

Hon. Mr. POWER—Suppose the case of Jarndyce *vs.* Jarndyce.

Hon. Mr. LOUGHEED—In that case it would warrant the government setting in motion the provisions of the Act and sending back one of the retired judges.

The clause was adopted.

Hon. Mr. FORGET, from the committee, reported the Bill without amendement.

The Bill was then read a third time and passed.

HIGHWAYS BILL.

COMMITTEE STAGE POSTPONED.

The order of the day being called: House again in Committee of the Whole on Bill (77) An Act to encourage and assist the Improvement of Highways

Hon. Mr. LOUGHEED—This Bill is somewhat akin to the Act for the aid and encouragement of Agriculture, which is on the order paper for to-morrow and I think we might let it stand till the other measure is taken up.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not see how they are akin.

Hon. Mr. LOUGHEED—The first Bill provides for a substantial sum to be distributed among the provinces on the same basis as it is proposed to distribute the money for highways, and to adopt practically similar machinery between the central government and the provinces as to the application of the money; so that they are akin so far as the voting of the money is concerned.

Rt. Hon. Sir RICHARD CARTWRIGHT—Not exactly; because agriculture is one of the subjects assigned to the Dominion parliament, and highways are not, unless you steel them.

Hon. Mr. LOUGHEED—I can very well conceive of the building of a main highway being made a Dominion work. An interprovincial highway would be as much a work for the advantage of Canada as would the building of a railway. However, I move that this order of the day be discharged and that it be placed on the order for to-morrow.

The motion was agreed to.

TARIFF COMMISSION BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill (88) An Act for the appointment of a tariff commission.

(In the Committee.)

Hon. Mr. LOUGHEED—We substantially adopted the different amendments of my right hon. friend, with the exception of, perhaps, the amendments to subsection 1.

Rt. Hon. Sir RICHARD CARTWRIGHT—Perhaps I had better explain my object, because I dare say we may come together upon it. The only way we have at present of getting information as to the true position of a lot of these factories and industries which are constantly making applications for some change in the tariff, is through the Census Report. That report is only good up to the end of the particular year in which it is made, and we never succeeded in getting these census reports in our hands until two or three years have elapsed. By that time great changes take place and have taken place in the position of many of these industries. It really would be a matter of very considerable practical interest that we should have the latest intelligence that could be obtained as to these matters. I will go over the whole of the matter with my hon. friend in detail. For instance, the number of factories now existing vary sometimes, to my certain knowledge, enormously, within a period of three or four years. I suppose the question of the amount actually expended in cash in erecting and equipping the same is one of those he feels some difficulty about. We will say nothing about that. Take paragraph 'c', it strikes me that is a point upon which the government should be informed and upon which the country ought to be informed.

The question of mergers is attracting a good deal of attention, and my experience has been that very serious frauds have been committed by the issue of huge blocks of watered stock, which is afterwards made an excuse for demanding subsidies from the government in order to enable the parties to pay interest on this stock, and an argument is brought forward which I never regarded with much favour myself, but which seems to have had favour in other quarters, that inasmuch as gambling in watered stock had been extensively dealt in, and because a number of people had been induced to buy this, I won't say absolutely worthless stock, at a high price, that therefore it is necessary to protect them. In all cases where application is made for an increase in the duty we ought to know what was the real cost of the manufacture, and we ought also to have a list of the shareholders, and the amount and number of shares held. There should be no difficulty about their giving information as to the dividends or the wages of hands, and the number of hours' work per diem.

'G' is a simple matter apparently, and I think should be easily ascertained. If this commission is to do anything like the work which it is expected to, and which, from the debates in the Commons, it was apparently intended to do, these are points on which we should have some detailed information. From my hon. friend's remarks, I gather that his view was to limit this tariff commission to a very narrow sphere, indeed, as compared with that which was talked about in the other Chamber. I dare say he is right—I am not at all sure he is not right—that the tariff commission should be, if I understood him, simply a commission for the purpose of collecting facts and statistics to be supplied to the government of the day, and of course, to the public also. I dare say he is quite right in that, and it simply deals, if it is limited to that, with two things, I think, one that they should obtain as full information as possible. I am bound to say, that I do not see, under such circumstances, why all these frills and feathers should be created. I do not see why we should have men called tariff commissioners paid salaries equal to those of Cabinet ministers for the purpose of doing what I can assure him could be quite as well done as any expensive tariff commissioners that we can select may do. If we were to select, or to allow his hon. friend beside him to select a dozen competent customs house officers who had been in the habit of dealing with these matters, and whom I could select, I am quite sure they would render very good service to the state, in the shape of chiefs of a bureau of statistics. But his view, and the view laid down in the Commons, appeared to me to be diverse, and if his view is the correct one—and I think it is—I do not exactly see why we should not obtain all the information we can.

Does he object to all these amendments, or does he object to two or three in particular.

Hon. Mr. LOUGHEED—The objection comes not from the specified information to be acquired so much as the proposal to add to the scope of the commission a sphere of inquiry which was not in contemplation when the Bill was brought before parliament. My right hon. friend will observe that he presupposes, and his amendments are based upon that supposition apparently. The paragraph reads:

> Provided always that in all cases where the commission reports in favour of any increase of duty, or where any application for an increase is made the commission shall, in addition to reporting upon the above matters, make a special report which, in the case of any industry already established, shall state.

It is not intended that the commission shall report in favour of an increase of duty or a decrease of duty, or that any application shall be made to the commission for an increase or decrease. I think my right hon. friend will agree with me that adding the amendments which we did to the Bill, to section 4, that we include in that inquiry almost everything that can possibly arise so far as the framing of a tariff is concerned. It seems to me it would be very dangerous ground upon which to start an investigation, to make inquiry into the financial status of different corporations. This might require, probably, a very special qualification as to financial matters and so on. It would certainly be an innovation for which we have no parallel, so far as I know, in the statutes It would be unheard of for a commission to go into a large or small manufacturing institution and say, 'We want to know your financial position ?'

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not think so.

Hon. Mr. LOUGHEED—It is an inquisition that in my judgment would be extremely dangerous to the existence of a corporation.

Rt. Hon. Sir RICHARD CARTWRIGHT—It does not involve that; but I have no objection in the world to amend the proviso in any way or fashion that my hon. friend wants to. What I want is to get the information if I can.

Hon. Mr. LOUGHEED—My hon. friend will observe that as far as paragraph 'a' is concerned it would be already covered, but when he comes to 'b,' 'c,' 'd' and 'e' he enters upon a class of inquiry with which, in my judgment, and in the judgment of the government, this commission should not be empowered to make, and which would not be akin to the tariff.

Rt. Hon. Sir RICHARD CARTWRIGHT—Just there, there is somewhat of a conflict of opinion. My idea is that any manufacturer who stands on his own feet and does not want a subsidy from the government should be let alone; but any man who comes before the government desiring to obtain a subsidy—because every additional protective duty is a subsidy levied from the people at large—has no ground whatever for refusing the fullest information, and that would apply, ex necessitate, to parties who are carrying on business which they allege cannot be carried on without a heavy protection. Those parties are bound, from the very nature of the case, to give a very full disclosure of all their affairs. There is no unfair inquisitorial advantage taken of them there. The man who comes to the government and says: 'I cannot carry on my business unless I am subsidized, unless I am permitted to tax the people,' that man undoubtedly is bound to give the fullest possible information about everything he does in the whole course of his business, and without that the government cannot judge.

Hon. Mr. LOUGHEED—With all due deference to what the right hon. gentleman has said, I fail to see what bearing the financial status of a company has upon the tariff. Neither the commissioners nor the government, if they were charged with the inquiry, would think of making an investigation into the private financial condition of a corporation. The questions are those enumerated in paragraphs 'a,' 'b,' 'c' and 'e.' Once the commission began to make an inquiry into the financial status, or alleged investment of the corporation in any industry it seems to me

they go into a branch of inquiry that should have nothing necessarily to do with the framing of a tariff. I think that would be most dangerous, because they even then could not get the information necessary.

Rt. Hon. Sir RICHARD CARTWRIGHT —I cannot agree with my hon. friend.

Hon. Mr. LOUGHEED—Here are two manufacturers in the same line of business, the one with nominal financial status, and the other with an inflated financial status. My right hon. friend would concede at once that it would be futile to take an intermediate position as the basis upon which to judge of the framing of the tariff on those two conditions. It seems to me a question of investment in a business is not the main factor to do with the question as to whether that tariff can be framed so as to assist the industry in Canada or not.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have the credulity to doubt that proposition.

Hon. Mr. LOUGHEED—Capital might be very injudiciously invested.

Rt. Hon. Sir RICHARD CARTWRIGHT —It very often is.

Hon. Mr. LOUGHEED—And if so it does not necessarily follow that the government should therefore take that as a basis upon which to make their inquiry.

Rt. Hon. Sir RICHARD CARTWRIGHT —The people at any rate should know what were the conditions in any particular industry which they are asked to be taxed for. That is what I want to ascertain, and also, as I told my hon. friend just now, this business of creating new trusts, which is very extensively gone into in Canada, and which, is very popular—of creating trusts and combines by which a number of institutions come together, and where numerous quantities of watered capital are floated on the public and very often floated by means of representations which do not pan out at all. This tariff commission, if it is to be good for anything, should be able to call attention to that and for that end ought to be vested with some such powers as I have named.

Hon. Mr. LOUGHEED—Would my hon. friend not consider that under section 12 of the Customs Tariff Act, and the machinery that has been embodied in this Act so as to make these inquiries more extended than heretofore, satisfactory information should be arrived at in that way?

Rt. Hon. Sir RICHARD CARTWRIGHT —I doubt it.

Hon. Mr. LOUGHEED—Section 12 was intended to meet cases of that kind.

Rt. Hon. Sir RICHARD CARTWRIGHT —I know it well, and I know how difficult it was to apply it.

Hon. Mr. LOUGHEED—It seems to me that as far as language is concerned it is made about as broad as it can be: that is under the existing law; and it is proposed that this commission shall be authorized to set in motion the machinery of section 12 of the Customs Tariff Act, and obtain all the information necessary, and, in fact, prosecute such combinations, trusts and conspiracies as may be discovered.

Rt. Hon. Sir RICHARD CARTWRIGHT —They would go a good deal further than my hon. friend spoke of in the previous discussion. He then appeared to take the view that the tariff commission was going to be limited, and limited strictly to collecting facts and statistics for the use of the government, a very profitable object, an object, as I say and have always said, well warranting the formation of an additional bureau specially charged with that duty, but does not warrant, I think, the creation of a body of expensive men styled 'tariff commissioners,' with salaries equivalent to a cabinet minister.

Hon. Mr. LOUGHEED—Let us assume that the Customs Department should be charged with such a duty as that mentioned, of assigning to several persons the duty of making inquiries. It would cost almost as much as the tariff commission.

Rt. Hon. Sir RICHARD CARTWRIGHT —No.

Hon. Mr. LOUGHEED—If they made such inquiries as are contemplated to be

made by the tariff commission the government would have to appoint first class men.

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes, no doubt.

Hon. Mr. LOUGHEED—I think the subject is sufficiently important to warrant the conclusion that the inquiry should be continuous, owing to the changes of conditions we have to face in Canada, from time to time, that they would have to abandon positions at present occupied by them and devote their time exclusively to the other inquiry.

Rt. Hon Sir RICHARD CARTWRIGHT—Yes, but as to the question of salary, I think his hon. friend beside him (Sir Mackenzie Bowell) can tell him that officers of very considerable ability in the customs are paid vastly smaller sums of money than we propose to give these gentlemen. I think the highest paid collector in our employment is only receiving something like $2,500 a year. I think $4,500 is the maximum that you propose to give to any collector of customs.

Hon. Mr. LOUGHEED—Yes, but especial duties were assigned to them; it has been the invariable experience that you have to fix a larger salary where you create a special office.

Rt. Hon Sir RICHARD CARTWRIGHT—The doctrine that you can lug in men from the end of the earth and offer them a good salary, and that you get in that way exceptionally good men, is a very dubious one. I would rather trust experienced officers of our own than men you bring in. If it were possible for you to take the tariff entirely out of politics, that is another question altogether; but my hon. friend knows that cannot and will not be done. This business of creating a tariff commission was supposed, when it was brought in, to mean that these gentlemen would have practically the framing of a tariff. Now, as I understand it the government, speaking through the mouth of my hon. friend, entirely abandons that view. They do not want them even to make a report as to what rate of duty should be imposed.

Hon. Mr. LOUGHEED.

Hon. Mr. LOUGHEED—I am unaware of the government having made any such representations.

Rt. Hon Sir RICHARD CARTWRIGHT—The hon. gentleman is the government.

Hon. Mr. LOUGHEED—I mean the Commons. I am unaware of any representations that the scope of the tariff commission was to be larger than I have indicated and is signified by the Bill.

Rt. Hon Sir RICHARD CARTWRIGHT—Then I have misread the debate in the Commons and the remarks made upon it in the newspapers and elsewhere.

Hon. Mr. CLORAN—The suggestion made by the right hon. leader of the opposition in regard to inquiry into the financial condition of the manufacturers is a fair one. The right honourable leader of the opposition does not ask that the tariff commission should have a right to go into all manufacturing institutions and examine them; he limits the right to this point, that when any firm, corporation or individual engaged in manufacturing comes to the government asking for an increase of the rate of duty on his particular line of goods, that means that he is asking the government to increase the price of that article to the consumer. Surely the consumer has a right to know the ground on which the manufacturer asks for an increase of the duty? It is that class of cases to which the right hon. leader of the opposition has alluded, and it surely is not asking too much to give the government an opportunity to investigate on the line indicated. I would not give the authority to the commission; but the minister should have a right to say to the tariff commission: 'Go and investigate fully the entire financial and other conditions of that industry. They are asking for an increase of duty and before the government will grant it we must know the real state of that business.' There is nothing perilous or unfair about that, and I am with the right hon. leader of the opposition on that point. Where manufacturers are content with the regular tariff and ask for no especial rate, we have no right to investigate their affairs. As a legislator I would

not grant the government that right at all, unless there was some special cause, such as a merger. The hon. leader of the House will see the simplicity and reasonableness of the demand.

Rt. Hon. Sir RICHARD CARTWRIGHT —Of course I am quite ready to amend the proviso, after what my hon. friend has said, by striking out the words after 'in all cases where the commissioners report an increase of duty.' I would undoubtedly agree with him in striking out that portion of the clause which refers to the commission.

Hon. Mr. LOUGHEED—Of course that deals with one phase of the amendment, and while the paragraphs are based on that, yet the paragraphs themselves introduce another element, namely the inquiry into the financial condition of the company. Now, a number of manufacturers in the same class may have all the variety of financial conditions that the human mind can conceive. Even suppose one of those manufacturers should have an inflated financial condition, that should not necessarily influence, and would not influence the framing of the tariff with reference to that particular line of manufacture, and yet at the same time an inquiry and a disclosure of the facts which would be ascertained as to that inflated condition might be of the greatest possible injury to the industry as a whole. As to the practice of issuing bonus or watered stock, I fail to see in what way that has an application to the framing of a tariff if the inquiry is based upon the cost of production from the raw material and transportation up to the finished product. They must not take into consideration that because a company has issued bonus or watered stock a dividend must necessarily be paid upon it. An individual might say, 'While I have invested $100,000 in this industry, I would not take two or three hundred thousand dollars for it.'

Rt. Hon. Sir RICHARD CARTWRIGHT —The cost of production is a matter of very considerable difficulty to get at. I am not speaking at random. I know very well what devices are had recourse to in the attempt to get subsidies, and their name is legion. I remember well the class of applications made during the last fifteen years, and five years before that, for increases, and I know the kind of statements made to us and how extremely—I will not say falsified, but extremely dubious these statements were, and the government, if they are wise, will take precaution to ascertain what the facts are. My hon. friend says it does not matter what amount of dividends is paid. It does matter. Nobody in his senses, if he knew it, would allow an additional subsidy—and it is only in case additional subsidy is going to be planted to a going concern—would think of granting additional subsidy to an establishment paying fifteen or twenty per cent dividends on the amount of capital actually invested.

Hon. Mr. POWER—I notice that the government are giving a large subsidy to the Timiskaming and Northern Ontario railway, which is a going concern and paying a handsome dividend.

Rt. Hon. Sir RICHARD CARTWRIGHT —Perhaps it is; I have no information about that. It is not every company that tumbles into a Cobalt; the case is well put. At present, for the purpose of getting information in discussing the tariff, we are to an enormous extent limited to the census returns. Now those returns are never up to date; they are always two or three years old, sometimes four or five. I think in the case of the census taken in 1891 it was six years before a good deal of the information was brought down to us. There was a lot of information that I wanted to get and I had great difficulty indeed, in extracting it from the government of the day, although it was there, and much the same thing I am afraid will occur from time to time. Now much, not all, of these amendments are just to enable the tariff commissioners to get information up to date to report to us. To those amendments I think my hon. friend should not object. His other objections are on a question of principle, and we can discuss them by themselves.

Hon. Mr. LOUGHEED. What are those?

Rt. Hon. Sir RICHARD CARTWRIGHT—What harm is there in obtaining the list of shareholders, and the number of shares held by each shareholder or, in the case of application for increase of subsidies, ascertaining what dividends have been paid, the wages and the number of hours' work per diem, the total amount of goods produced by each factory, consumed in Canada—a very important and a desirable thing to have, but which we have little chance to obtain in time to be of any use to us. When we do get it, it is old. I should like to get it from year to year, and these people could get it for us. As I understand, the objections are to 'b' and 'c'.

Hon. Mr. LOUGHEED—It is thought that all the details from 'a' to 'g' have already been covered by the other clauses.

Rt. Hon. Sir RICHARD CARTWRIGHT—Several of these clauses are of an ominous kind. A great deal may be covered in them. I stated so at the time I brought down those amendments; but it is best to specify them, and they will know what information is really wanted and will give it to us.

Hon. Mr. LOUGHEED—If my right hon. friend would let this stand I should like to go over those items with him in that light as long as we do not trench on the financial inquiry, so to speak.

Rt. Hon. Sir RICHARD CARTWRIGHT—Take 'a', 'b', 'f' and 'g'; all that information is information I tried myself to get with the aid of the government, and the machinery we had was so imperfect that I could not get it to my own satisfaction, or the satisfaction of the officers of the department. I had to go back to the census returns. To a country growing so rapidly as Canada is, census returns that are three or four years old are of little value, or nothing like the value they ought to be. The Bureau of Statistics is supposed to deal with that, but it is likely to be behind hand. Now you have a commission which could get hold of those things and ought to get hold of them.

Hon. Mr. LOUGHEED—I should like to take those up with my right hon. friend and see how far we can agree on them.

Hon. Mr. LOUGHEED.

Hon. Mr. DE VEBER, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again.

THE GRAIN BILL.

IN COMMITTEE.

Hon. Mr. LOUGHEED moved that the House resolve itself into a Committee of the Whole on Bill (32) An Act respecting grain.

Hon. Sir MACKENZIE BOWELL—I think it should be understood that the principle of the Bill is not to be discussed in committee. We should follow the rule which requires that discussion shall be directed to the particular clause under consideration at the time. I make this suggestion in order that there may be no conflict of opinion or interference with the discussion when the Bill is before the committee. Of course there would be no objection to referring to another clause in the Bill which might come in conflict with the one under discussion.

The motion was agreed to.

(In the Committee.)

Hon. Mr. DAVIS—Perhaps the hon. leader of the House will tell us what difference there is between this Bill and the Bill passed by the Senate last year?

Hon. Mr. LOUGHEED—There is no substantial difference, with the exception of two clauses, namely clause 57 which provides for a sample market, and clause 207, which has been enlarged by making provision for some emergency cases. In the Commons, it was further enlarged by adding to the authority of the board to intervene in the distribution of cars.

Hon. Mr. DAVIS—I suppose my hon. friend knows that I have given notice of two motions to amend two clauses of the Bill. If those amendments are accepted, it will facilitate matters.

Hon. Mr. LOUGHEED—I shall be very glad to take up those two clauses with my hon. friend after we adjourn and see what the difference may be between us.

On subclause 2 of clause 3,

2. Each commissioner shall hold office during good behaviour for a period of ten years from the date of his appointment, but he may be removed at any time by the Governor in Council for cause: Provided that when a commissioner reaches the age of seventy years his office shall, 'ipso facto', become vacant

Hon. Mr. DAVIS—I think we ought to have information as to the class of men the government propose to appoint, what parts of the country are supposed to be represented on this commission, and a general outline of what their duties are to be.

Hon. Mr. LOUGHEED—No matter how explanatory I might be, I could not be more explanatory than the Bill itself.

Hon. Mr. DAVIS—Would it not be just as well to have that period of ten years struck out? You are going to tie up the whole grain trade of this country with three men. Some of them might not be satisfactory to the people of the country or even to the government, and I think they ought to be in a position to relieve any of those commissioners from office.

Hon. Mr. LOUGHEED—That very element would render it desirable to leave the Bill as it is. An agitation could be created by a class of individuals as against the commission or any of its members and it would be extremely dangerous and not in the interests of the country or of the farmer. It certainly would prevent the machinery of the Bill from carrying out the objects we have in view. I can imagine a commission being appointed during pleasure that would come in contact with the element the hon. gentleman speaks of—that is public agitation demanding their dismissal.

Hon. Mr. DAVIS—This deals with the source of wealth of the whole country.

Hon. Mr. LOUGHEED—No doubt it does.

Hon. Mr. DAVIS—The handling of that immense traffic in grain, not merely what it is now but what it will be, is a very important matter, and the gentlemen in charge of that should be safeguarded.

Hon. Mr. LOUGHEED—Any commissioner may be dismissed for cause, if he shows incompetency, interest or anything of that kind. It is very desirable in the public interest that in a commission of this kind men should be protected against any passing wave of agitation against the office which they are called upon to discharge, and which will involve very onerous duties which for the time may possibly be unpopular. They should have a fixity in office.

Hon. Mr. DAVIS—An agitation may arise as to the manner in which they are discharging their duties. There are two classes to be considered, the class of people who are producing this wealth and the class who are making money out of them, the middlemen. Human nature is human nature, and these gentlemen might perhaps be inclined to lean to one side. The government could hide behind that clause which says the commissioners can only be dismissed for cause. They might say, 'We have no cause for dismissing this official,' though he might be playing into the hands of one class of people. The responsibility should be on the government.

Hon. Mr. LOUGHEED—So it is. My hon. freind knows, as a practical politician, that the government cannot afford to alienate the public. They are always looking for the support of the public. They represent the public, and to satisfy an isolated few, the government would not retain in office an official who should be dismissed for cause. It will be the anxiety of the government to administer this Act to the satisfaction of the people of the west.

Hon. Mr. DAVIS—The hon. gentleman should define what he means by cause. So long as responsibility is on the government, I understand that public opinion will keep the government right.

Hon. Mr. LOUGHEED—Cause would include incapacity, interest, wrong-doing—any number of factors might be mentioned that 'cause' would embrace, and, as I say, the responsibility is on the government, and they are not going to sacrifice the public interest and their own popularity by keeping a man in office whose dismissal for cause would be warranted.

Hon. Mr. DAVIS—Would the government have any objection to making the term five years instead of ten?

Hon. Sir MACKENZIE BOWELL—The office becomes vacant ipso facto when a man reaches 70. There are men who might be quite capable to discharge their duty who have passed the age of 70.

Subclause 2 was adopted.

On subclause 3,

3. A commissioner, upon the expiration of his term of office if under seventy years of age, shall be eligible for re-appointment.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does my right hon. friend think that this clause modifies the preceding one? I have seen some curious legal puzzles constructed out of clauses of this kind.

Hon. Mr. LOUGHEED—This clause would not apply to any individual who had not been a commissioner. That is to say, in no case would the government appoint any one over 70 who had not previously acted.

Rt. Hon. Sir RICHARD CARTWRIGHT—Suppose a man were 69, would clause 2 apply to him? The lay mind would say that it would; but what would the legal mind say?

Hon. Mr. LOUGHEED—He would be eligible for re-appointment, and the re-appointment would be for ten years.

Hon. Mr. DAVIS—Supposing a man was on the commission, when he reached the age of 70 he would be out of office and could not be re-appointed.

Rt. Hon. Sir RICHARD CARTWRIGHT—The point is this: suppose you re-appointed a gentleman at the age of 68 or 69, would he not be able to remain there in spite of your proviso until he was 78 or 79?

Hon. Sir MACKENZIE BOWELL—Oh, no.

Rt. Hon. Sir RICHARD CARTWRIGHT—Do not be too sure. I have seen such Acts construed before in a very extraordinary fashion.

Hon. Mr. LOUGHEED—I see a possibility of such a case arising. We shall reserve that point.

Subclause 3 was reserved.

On subclause 6,

6. The chief commissioner shall be paid an annual salary of six thousand five hundred dollars, and the other two commissioners shall each be paid an annual salary of six thousand dollars.

Hon. Mr. YOUNG—While I have no desire to urge the expenditure of money, I fancy you will have difficulty filling those positions with the class of men you would like to select. It would be very unfortunate if the right class of men would decline to accept the position because the salary was not sufficient.

Rt. Hon. Sir RICHARD CARTWRIGHT That is a thing of constant occurrence in connection with large government employments.

Hon. Mr. YOUNG—It is, but the cheap man is the dear man in the end.

Rt. Hon. Sir RICHARD CARTWRIGHT—The big salary does not always get the best man.

Hon. Mr. LOUGHEED—That is one of the questions with which the government has to grapple in getting competent and experienced men for the salary fixed by statute. One might say that the government does not pay within fifty per cent of the salaries paid by large commercial companies to the same class of men.

Hon. Mr. DERBYSHIRE—The government will not have any trouble in getting the men at these prices.

Hon. Mr. DAVIS—There are men and men.

Rt. Hon. Sir RICHARD CARTWRIGHT—Speaking by way of illustration, does my hon. friend think that if the government chose to appoint a farmer in good circumstances in Alberta, Saskatchewan or Manitoba, that this would be an unfair salary for him?

Hon. Mr. LOUGHEED—I think no farmer with sufficient intelligence and ability to discharge the duties would accept it at this salary.

Rt. Hon. Sir RICHARD CARTWRIGHT—The hon. gentleman states that gentle-

men holding offices are greatly underpaid; this applies to his predecessors also.

Hon. Mr. LOUGHEED—There is no question about that.

Hon. Mr. DAVIS—The salary does not amount to very much in comparison with the interest involved. There are hundreds of millions involved in this matter, and when it comes down to a question of salary. if the proper man can be obtained, the amount should not stand in the way.

Hon. Mr. POWER—Hear, hear; the court is with the hon. gentleman.

Hon. Mr. DAVIS—If the government find the right class of man, $6,000 is not a high salary, taking into consideration the cost of living.

Hon. Mr. LOUGHEED—We might leave the salary clause in blank or we might say 'not to exceed so much.'

Rt. Hon. Sir RICHARD CARTWRIGHT—I am afraid we might come in collision with the Commons if we did that.

Hon. Mr. LOUGHEED—I shall direct attention to the matter.

Hon. Mr. JONES—The salaries provided in Bill (No 88) are $7,500 for the Chairman, and $7,000 for the other men. The position which we are discussing now is far more important.

Hon. Mr. YOUNG—No comparison.

Hon. Mr. JONES—If the government are to be free to obtain the man they want there should be a maximum salary of $7,500 at least. I do not believe they will be able to secure the man they want and retain him unless they pay such a salary.

Hon. Mr. LANDRY—We cannot increase the amount here.

Hon. Mr. JONES—We may be allowed to express an opinion. If the hon. gentleman is correct, we have no right to amend the Bill. If it is a money Bill we must accept or reject it.

Hon. Mr. LANDRY—This is a money clause.

The clause was adopted.

On clause 6,

6. The commissioners and the secretary shall devote the whole of their time to the performance of their duties under this Act, and shall not accept or hold any other office or employment.

2. No commissioner or the secretary shall directly or indirectly hold any interest in any corporation subject to this Act, nor directly or indirectly deal in or be financially interested in grain, nor hold any interest in any grain elevator or warehouse, or in any partnership, corporation or business engaged in the grain trade, or in the transportation or storage of grain.

Hon. Mr. JONES—If it is necessary to make subsection 2 apply to the commissioners, it should also be made to apply to all officers under the commission.

The clause was adopted.

Hon. Mr. COFFEY, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again.

The Senate adjourned until three o'clock this afternoon.

SECOND SITTING.

The SPEAKER took the Chair at three o'clock.

Routine proceedings.

THIRD READINGS.

Bill (X2) An Act respecting the Imperial Loan and Investment Company of Canada, Limited.—Hon. Mr. Thompson.

Bill (B) An Act to provide for the Incorporation of Railway Companies.—Hon. Mr. Davis.

THE GRAIN BILL.

The House resumed in Committee of the Whole consideration of Bill (32) An Act respecting Grain.

(In the Committee.)

Hon. Mr. MACDONALD (British Columbia)—Does the hon. gentleman from Prince Albert know if the grain in the Northwest provinces is still lying in the fields?

Hon. Mr. DAVIS—A Bill was put through parliament some weeks ago giving power

to the commissioner to send cars to relieve the situation at different points, for the purpose of moving out grain liable to become damaged. The opinion of the House was that that was good legislation. I opposed it. My information since that is to the effect that this legislation has been taken advantage of by the owners of elevators who wanted to clean out their grain and make room for other grain. It has been traced to the place of inspection, and we are in a position to show that a lot of this grain that was moved was graded No. 1 and No. 2; so that the people who had the grain that was liable to be damaged suffered a positive disadvantage by it. They did not get the share of the cars they were entitled to.

Hon. Mr. LOUGHEED—I would suggest to my hon. friend not to go into a discussion on that very controversial question, because it will involve further discussion and furnishing evidence into the manner in which the Act has been administered.

On clause 13,

The Governor in Council may authorize the minister to construct, acquire, lease, or expropriate for His Majesty any terminal elevator if parliament has granted the money for such purpose.

2. The Expropriation Act shall, in any case, apply to the acquisition or lease of such terminal elevator and to the ascertaining of the compensation to be paid therefor.

3. Upon the construction, acquisition, leasing or expropriation by His Majesty of any terminal elevator, the board shall be charged with its operation and management, and the board may, with the approval of the Governor in Council, make regulations for its management and operation and prescribe a tariff of fees and charges for the use thereof.

Hon. Mr. DAVIS—Is it in the intention of the government to take advantage of this clause? Has the government any policy on this subject?

Hon. Mr. LOUGHEED—I understand it is the intention of the government to enter into negotiations for the leasing of at least one terminal elevator.

Hon. Mr. DAVIS—Only one?

Hon. Mr. LOUGHEED—Possibly more, for the purpose of testing the wisdom of such a policy.

Hon. Mr. DAVIS—My hon. friend has had a good deal of experience with the Grain Bill: does he mean to tell me that he thinks the leasing of one terminal elevator is going to better the existing condition of things? How are they going to prove that government ownership is a good thing by leasing one elevator?

Hon. Mr. LOUGHEED—They may lease more.

Hon. Mr. DAVIS—Suppose they lease only one, does my hon. friend think that they can determine, from the working of that one elevator, whether it is feasible for the government to operate the system of terminal elevators or not?

Hon. Mr. LOUGHEED—It is the intention of the government to enter on a bona fide experiment of leasing or building one or more elevators. There is nothing to prevent the government, with the approval of parliament, leasing, expropriating or building elevators. It is intended at an early day to make this start.

Hon. Mr. POWER—I hope the government will not feel called upon to act under this clause. I do not see why the government should go into the business of owning terminal elevators any more than any other business. I feel very hostile to government ownership, and still more to government operation of what may be called public utilities. Under the provisions of this Bill, the government have power to supervise and control the operation of elevators, and it does seem to me that is quite far enough to go. I trust sincerely that the government will not go into the business of operating or building elevators.

Hon. Mr. DAVIS—This is a matter of policy on the part of the government, and I would not wish to interfere with that policy. A promise was made to the people of the Northwest, that if Mr. Borden's party were returned to power the government would acquire terminal elevators. I fancy such a promise would not have been made publicly to the people of western Canada if this proposition had not been carefully considered and a conclusion arrived at that it was feasible. Since the

government has seen fit to carry out its promise with reference to the appointment of a tariff commission, the people of the west do not see why they should not carry out their promise with reference to controlling the terminal elevators. My own view is that the railway companies, being common carriers, should be forced to furnish storage for anything they carry. They should own and control the elevators. If they carry any other freight to the head of the lakes, or anywhere else, they have to furnish storage for it, and they should be compelled to furnish storage for the grain they carry. If they did, the dissatisfaction on this point would evaporate.

There would not be any cause of complaint, because as long as the railway corporations operated those terminal elevators there never was any complaint on the part of the people. It was only after a lot of sharp speculators got control of those terminal and interior elevators and began mixing and manipulating the grain that this trouble arose. Now the government should either take the one or the other step. They must either purchase and control the terminal elevators, or force the railway corporations to carry out their functions as common carriers and provide means of storage for this grain at the head of the lakes. To-day what do we find? That the railway corporations have practically entered into a partnership with a lot of speculators, whose only object is to make what they can out of the farmers' grain. The railroads naturally are in partnership with those people; they want to facilitate these people in carrying the grain out to the head of the lakes; they apparently do not care what they do with it after it gets there; but I claim that the government must see that the railway corporations carry out their functions, or else implement their promises to the people of the west and let us have genuine government ownership of elevators. One elevator is not going to demonstrate whether government ownership is a feasible proposition or not. How can it, with the immense amount of grain we have in the west? Now, they propose to establish sample markets, where sample market is concerned storage facilities would be required if is going to be of any value. If the government are not going to own elevators it is useless to establish sample market without storage facilities; the idea of leasing one is nothing but a farce, to my mind. Either own them or force the railway companies to take them over.

Hon. Mr. THOMPSON—I did not understand that the hon. leader of the House suggested that leasing one elevator would be the extent to which the government would move in respect to terminal elevators. I understood that the appropriation has been made and an experiment would be entered into probably leading to the whole of them, or leasing a number of them until the policy of operating terminal elevators had been fully tested. I assume that the proposition of terminal elevators did not originate with the government, but is a question of popular opinion in the west, and it would be well not to criticise what the government may do until we have had some further evidence of how they propose to carry out their policy.

Hon. Mr. POWER—The hon. gentleman from Prince Albert has dealt with this as a political question. A committee of this House last session dealt with this whole question with the utmost patience, and I think with a good deal of intelligence. That committee did not favour government ownership, and any one who considers the result of government ownership of elevators in the case of Manitoba will not be anxious to see the Dominion government going into the same business, and we should not lend ourselves to this idea of government ownership unless it becomes absolutely necessary.

Hon. Mr. YOUNG—I should like to ask the leader of the government if they have considered the construction of storage elevators at interior points with the view of lessening the dire results that arise from car shortage?

Hon. Mr. LOUGHEED—No, I think I may say not.

Hon. Mr. WATSON—With the state of affairs in the Northwest to-day, and with

all the privileges given to ship our wheat to Duluth, I consider it is much more in the interests of the grain growers of the west to seriously take up the question of the erection of interior elevators for storing grain. The transportation companies are not able to move the crop at the time the farmer wishes to ship it, whereas such interior elevators would enable the farmer to get his money from the bank on a certificate, and then the crop could be handled more quickly by the transportation companies on short hauls instead of hauling it down to the terminals at Fort William and Port Arthur. Conditions in the west to-day are very bad. A report from Winnipeg states that at a meeting held at Saskatoon there was stated to be a blockade now at Duluth, that the elevators are full at Fort William and Port Arthur; that there is enough grain on the cars to fill all the remaining space at Duluth. This means that the railway companies will not be able to take another car load of wheat from the farmers of the Northwest until navigation opens. That is a deplorable condition. For years I have talked the matter over with the Canadian Pacific railway officials and I was under the impression that they favoured the erection of large storage elevators in the interior where car loads of wheat could be delivered at those elevators in two or three days.

You might select points in the west, Saskatoon, Calgary, Moosejaw, Regina, Brandon, and the different points where the elevators might be placed. At the present time a farmer who has wheat in his granary cannot raise money on it, but if it were in a government controlled elevator, he would be able to get his money, the same as he would if it were stored at Duluth or Port Arthur. The government should direct their attention to that, and proceed along those lines. The present Premier made definite specific pledges in the west last summer, that he would take over and operate the terminal elevators. It was a definite policy, not an experiment—he was going to purchase the elevators, and own and control them. The hon. gentleman from Halifax does not think the government should go into the operation of elevators at Fort William and Port Arthur. He gives as one reason, namely, the bad management of the elevator system in Manitoba. I should hope the management would be something better under the Dominion government. The Manitoba government, disregarding all decency, I might say, purchased elevators that are not worth 25 cents on the dollar of the price they paid for them. They purchased two or three elevators that never turned a wheel last year, and that is the way the money was invested. It is hardly necessary to refer to the means adopted by the elevator companies to sell those elevators, that they had no more use for, to the government. They were a miserable failure. I do not anticipate such a thing at Port Arthur or Duluth. The hon. gentleman from Halifax suggests that the government should not go into the elevator business at Fort William and Port Arthur. It seems to me, it is a question to a large extent of whose ox is gored in this matter. My hon. friend is opposed to bringing the Intercolonial railway under the Railway Commission, because he was afraid they might raise the rates. There is no question that the condition of affairs in the west is bad. I believe, as suggested by the hon. gentleman from Prince Albert, that the railway companies ought to be compelled to operate their own terminal elevators. There is only one elevator at Port Arthur and Fort William, that has been giving entire satisfaction. That was shown by the evidence taken before the special committee which dealt with this Bill in the Senate last year. It was stated that the elevator operated by the Canadian Pacific railway was the only one about which there were no complaints. I think I am safe in saying, that the terminal elevators of the Grand Trunk Pacific railway, the Canadian Northern railway, and Canadian Pacific railway, are about two-thirds of the terminal elevator capacity at Fort William and Port Arthur. If those elevators were owned and operated by the railway companies, it would not be the profits they were going to make out of the terminal elevators that would in-

duce them to give a square deal. The main inducement to the railway company would be to get the freight. Because it must be remembered that we have passed the stage of colonization roads in the west. We have three large corporations there actually operating competing lines for the freight, and the freight is 10 to 15 cents a bushel. The profits on that freight would be much greater than the profits on the elevators, and the company that would give the best elevator accommodation, would undoubtedly get the freight. It would be a great solution of the trouble if the railway companies were compelled to own and operate their own elevators at Fort William and Port Arthur. I could never see any particular reason why a railway company should not be compelled to take care of bulk freight, as well as package freight. If you deliver wheat in sacks the railway company take care of it. If it is delivered in bulk, it has to go to some other corporation to handle it, and I know that when the idea originated of granting permission to outside people to build elevators, probably the Canadian Pacific railway were not able to finance the elevator scheme, but things have changed, and the abuses in the elevator system have grown to such an extent, that the Manitoba government, by the will of the people, saw fit to purchase such a system there. It was very badly managed, but the fact of going into the elevator system at all was evidence of the necessity of doing something. If the government would compel the railway companies to operate their own terminals it would have a great effect in doing away with the trouble, and I believe that one of the best things that could be done, not only for the grain producers, but for the transportation companies, would be for the government to consider the advisability of going into the erection of large storage elevators in the interior.

The clause was adopted.

On clause 33,

33. The chief inspector and the inspectors for the division shall, not later than the first day of October in each year, select samples of the different grades of grain, which shall be known as official standards.

2. Any such inspector shall, upon request therefor, furnish a sample of any such grade of grain, accompanied by a specific statement that it is the official standard for that grade.

3. For all samples so furnished the inspector shall make such charge as is approved by the board.

Hon. Mr. YOUNG—The difference between clauses 33 and Bill (Q) is that in clause 33 they fixed the 1st day of October to select samples. That makes it a little earlier than Bill (Q). That will be pretty early some years, and some years it is all right.

Hon. Mr. LOUGHEED—The object was to create uniformity in the west.

Hon. Mr. YOUNG—There is no uniformity in the crop season between the east and west. Under the old Act the inspectors had one week's margin to work upon. Now on the 1st day of October they act.

Hon. Mr. LOUGHEED—Western members of the House of Commons apparently thought it better to fit it on this date.

Hon. Mr. YOUNG—It is very important that the sample sent out by the inspector should be accurate and represent truly the result of the crop, I would imagine that the earlier you fix a date to send out the samples, the greater risk there must be of making a mistake, as the result would indicate later. It is utterly impossible to change those samples afterwards, because they are the basis of the value placed upon them by the purchasers of the grain on the other side of the Atlantic. That is where the samples go, and it might happen to be very unfair to the crop of Canada if those samples were not accurate.

Hon. Mr. DOUGLAS—We should have about eight days.

Hon. Mr. YOUNG—The first week in October there is a great deal of grain going forward, and there may be a great deal of difference between the receipts of grain from the first day of October up to the next eight days. We have nothing to lose by it. The inspectors in the past have always made samples at as early a moment

as possible, because the dealers on the other side of the Atlantic are always clamouring for the samples. I think in the past it has worked fairly well. They have a week's time to make them and that is a great deal at that time of the year.

Hon. Mr. POWER—Perhaps the hon. gentleman in charge of the Bill would let this clause stand?

Hon. Mr. LOUGHEED—There are two clauses, one dealing with the east and the other with the west. When we come to clause 89 my hon. friend might make the suggestion he has already made. This clause is the same as the Bill (Q) of last year.

The clause was adopted.

On clause 35,

35. No inspecting officer shall inspect grain being laden or about to be laden on vessels or cars after dark or in wet weather except on receipt personally, or through the office of the chief inspector, of an application from the owner or possessor of the grain or his authorized agent written upon one of the printed forms furnished by the Board and signed by such owner or his authorized agent, relieving him, the inspecting officer, from responsibility for damage which may be caused by such wet weather, or darkness, or for loss arising from errors liable to occur in an inspection under such circumstances.

2. In every case of such inspection the inspecting officer shall be personally present when the grain is actually delivered on board.

3. In such case no certificate shall be issued until the inspector's sample of such lot is examined under proper conditions.

Hon. Mr. DAVIS—I understand that the inspecting officer inspects grain on the cars. We had quite a bit of discussion about that last year. I do not know that this clause is going to meet the situation. I think we had evidence to show that some of the officials had their backs turned when the inspection was going on.

Hon. Mr. WATSON—Is seems to me that this clause is all right, because they have to get an order from the owner of the grain. If a vessel had fifty thousand bushels of wheat, No. 2 Northern, loaded in daylight and the owner wished to load the balance of the vessel during the night, samples are taken out. Of course, you cannot grade the wheat at night, but samples are taken out. The elevators would be careful to get it above grade rather than below, for this reason: a sample taken off during the night to be inspected the next morning, if it is not up to No. 2 Northern, the balance of the fifty thousand bushels in the vessel would be graded down to No. 3 Northern.

Hon. Mr. YOUNG—So long as human judgment is the gauge of the measure of quality of grain there will always be room for difference of opinion. We have reason to be proud of the work of our inspection department. They have been complimented by the purchasers of grain in Great Britain, while other countries have been criticised severely. I wish to direct the attention of the leader of the House to the fact that it is time we had a different test applied to certain qualities of grain. I understand that in the Minnesota inspection they rely a great deal on what is known as the milling test. They have an outfit in connection with one of their colleges close to Minneapolis in which they make these tests. Certain types of wheat that have been weather beaten, or exposed to rain, are tested for their milling qualities and for making flour. Once that type is established it is not necessary to test every sample of the same kind if the inspector meets with the same condition. He will rely on the milling test which was given to him of the former sample of wheat. I think we should have a similar test here. Grain may be slightly discoloured and yet not injured as far as its flour making qualities are concerned.

Hon. Mr. LOUGHEED—The appointment of a commission is a new departure and I have no doubt it will result in a very extended inquiry into the advances which have been made in other countries in dealing with a similar industry. I have no doubt that an inquiry of this kind will be made and it may result in our copying the methods adopted in other countries which are of advantage to the consumer.

Hon. Mr. YOUNG—I have seen wheat that was threshed before a slight rain grade No. 1, and the same farmer's wheat

that was threshed after a slight rain grade No. 2. It was very hard to explain to that man that the slight rain should lower him a grade in the market. It was very doubtful whether the grain was lowered to that extent.

Hon. Mr. LOUGHEED—Section 11 contemplates employing men having technical knowledge of this kind.

Clause 35 agreed to.

On clause 57,

57. Nothing in this Act shall prevent any person from selling or buying grain by sample regardless of its grades.

2. Notwithstanding any other provision in this Act that may conflict therewith, sample markets may be established in the cities of Winnipeg, Fort William and Calgary, and the mixing of grain permitted in connection therewith, under such rules and regulations as are recommended by the board and approved by the Governor in Council.

3. The provisions of section 208, with the exception of subsection 3 thereof, shall apply to sample markets when established.

Hon. Mr. DAVIS—I have a motion to strike out this clause. All the grain producers of the west are opposed to it. The men who produce the grain are the men we should consider, and not the middlemen or the men who are there for the purpose of making money out of the grain growers. This clause is supposed to establish a sample market for the selling of grain at Winnipeg, Fort William and Calgary. It would be an immense benefit to the elevator combines who are always looking for an advantage, but what good would it be to the people who are mostly interested? The grain business of the west is controlled by a monopoly. We have it in the evidence that was taken by the Senate committee. I might read from the evidence of the witnesses to refresh your memory. You will find the interests represented by such men as Douglas, Heffelfinger, Serle and Morrison. They tell us that they are intertwined in one great monopoly. They control not only the terminal elevators, but the interior elevators also. Some of the companies, like the Peevey control four or five interior elevator companies.

It was supposed to be doing business and competing in the interior towns, and they controlled everything. With those gentlemen controlling the terminal privilege at the head of the lakes, what advantage would there be to anybody to go on a sample market and buy grain? What could they do with it when the elevator combine controls all the binning facilities at the head of the lakes? You cannot buy grain on the sample market and make any use of it unless you have a place to store it. Does any person think that the different members of the elevator combine are going on the sample market to compete with one another? No independent man would wish to purchase grain and put it into bins controlled by the monopoly for fear they would mix it. One of these clauses in this Bill, subsection 'e', and the other clause I opposed in this House in reference to damaged grain that went through and is incorporated in this new Bill, show that those in favour of a sample market are the combines who wish to get control of the cars. If you interfere with the distribution of cars, you will throw the producer of grain into the hands of the monopoly entirely. A sample market will do them no good. The combine will collect the wheat in the interior and take it to terminal points and mix it. The large milling interests have their own interior elevators. They can buy at street prices and get all the grain they want. The other man who cannot take advantage of the sample market is the eastern miller, and the foreign miller because they have no storage facilities and could not keep the identity of the grain passing through privately owned elevators.

Hon. Mr. WATSON—The miller is opposing it.

Hon. Mr. DAVIS—Certainly, because he is a sensible man. But can a man preserve the identity of his grain going through those elevators that those gentlemen who are so expert at manipulating control? What condition would his grain be in after it goes through all those different processes that we heard of last year in the committee? He is certainly not going to touch a sample market. There is only one way you can have a sample market—get those gentlemen out of the terminal elevators; then the other people are prepared to trust the government or the

railway companies to run the elevators. After the evidence that was taken by the committee last year, I would ask you be prepared to trust those gentlemen with your grain to allow them to manipulate it. Under the statute to-day it is a crime to mix grain; but you propose to do away with that and give these people the opportunity to do by legislation what they did last year in defiance of the law and were fined for. Who is going to get any benefit from it? The men producing the grain in the west do not want this clause, which is going to be a benefit only to those other men. What does Mr. Douglas say in his evidence before the committee last year? At page 15 he says:

I represent the interest of H. F. Peavey & Co., confined largely to the Canadian Northern railway'—which went to carry out my statement that they are interested with the railway company too—and then he goes on and says: 'we have other interests represented by one of my associates.' They had other interests besides, at page 18 we had Mr. Searle's evidence; he was asked the question:

Hon. Mr. Davis.—You are connected with the Peavey Company?—A. Yes, I am.

Q. There is a list of Canadian companies mentioned by the previous witness, Mr. Douglass, and there are a lot of Canadian companies. How many of these companies are controlled by the Peavey Company?—A. The British American Elevator Company, which he did not mention, is controlled by them.

Q. How many Canadian companies do the Peavey people control?—A. Do you mean line companies?

Q. Yes?—A. They control the Port Arthur Elevator Company, the British American Elevator Company, the National Elevator Company; those are the only ones that they control.

Then Mr. Heffelfinger goes on at page 23—I want to show the connection of the Grand Trunk railway—He says:

The parties interested in these companies were first sought by the Grand Trunk Pacific Railway Company. It took considerable time to conclude negotiations which resulted in these investments, and as I was personally present during all of the negotiations I can testify to the ability of the Grand Trunk officials to make a good contract for the railroad.

That shows the connection between the Grand Trunk Pacific and those people. I just want to show that they are all tied up back and forward.

Hon. Mr. DAVIS.

Hon. Sir MACKENZIE BOWELL—What has all that to do with the selling by sample?

Hon. Mr. DAVIS—I want to demonstrate to my hon. friend that selling by sample, as proposed by this Bill, is a farce.

Hon. Sir MACKENZIE BOWELL—I know you say so.

Hon. Mr. DAVIS—That the only men who control the elevator privileges in the west are this combination, which are all interwoven together. Now, who is going to buy grain on a sample market in Winnipeg when all the terminal privileges are controlled by those men?

Hon. Sir MACKENZIE BOWELL—I confess I do not understand the matter. If a person desired to purchase 100,000 bushels of wheat and went to the warehouse and was satisfied with the sample, and offered a price for the wheat, it is not for the farmer to ask the question what he is going to do with it afterward. There it is for delivery.

Hon. Mr. DAVIS—But I am pointing out that nobody will buy this grain. This, on the face of it, is like all other legislation—

Hon. Sir MACKENZIE BOWELL—Then it can do no harm.

Hon. Mr. DAVIS—Yes, it will be for the benefit of a certain class of men.

Hon. Mr. LOUGHEED—Nobody will buy it?

Hon. Mr. DAVIS—You are opening the door to mixing. If you do not allow mixing it is all right, but you allow mixing. There would be nobody buying grain on the sample market. These gentlemen will not compete with themselves on the sample market. They will bring it into the terminal elevators that they control, and there will be no competition since you allow them to mix.

Hon. Mr. TALBOT—The first part of clause 57 is all right, but there is objection to subsections 2 and 3.

Hon. Mr. DAVIS—2 and 3 should be struck out.

Hon. Sir MACKENZIE BOWELL—The conditions in the west must be different from conditions in England. A farmer in England goes to the market with his samples of grain, and sells it. The purchaser buys it subject to the character of the sample, and if the farmer has sold an improper sample he suffers, but the purchaser takes his own risk as to when and where he shall get it. You are interfering with the right of the producer to dispose of his goods as he pleases. You might just as well say that you could go into an orchard and prevent the selling of 100 barrels of apples by samples. You own an article and you represent it to be of a certain character. Why should I be prevented from buying it, or you prevented from selling it? If I have misrepresented the character of the article, I am liable, and not you.

Hon. Mr. WATSON—The illustration is not good, because in the particular case referred to the farmer is selling his wheat to the miller.

Hon. Sir MACKENZIE BOWELL—No matter to whom he sells it. It may be to the grain merchant.

Hon. Mr. WATSON—Even if he does sell it to the grain merchant, it is the same thing. But in this particular case the wheat has to be handled by men operating a terminal elevator, men who are in the wheat business themselves. There is one objectionable feature in this, and that is the reason it would not work out properly. On general principles you would say sample markets are all right. As a matter of fact, most of the wheat is bought on samples. The grain dealer who buys out in the country buys by sample. He puts his judgment against it and says it is No. 2 or No. 1 Northern and takes his chances. A great deal of the wheat is bought in that way at the present time. There are probably three or four buyers, and they take their chances on it. The buyer who buys in the country has to take his chance on grading; sometimes he will win, and sometimes he will lose. On general principles, sample markets are all right. We have often quoted to us the sample market of Minneapolis. It is one of the best sample markets in the world, but there is a difference between that and our sample markets. As stated by the hon. gentleman from Prince Albert, the people who are dealing in grain as a rule are those large grain companies. In Minneapolis the commission men are commissioned by country millers down in Illinois and all over the States, who want a certain quantity of wheat. The commission man is authorized to get a particular kind of wheat, and the commission man who pays the highest price gets it and ships it directly to the miller, where it is ground, and the result is there, with that ideal situation, the man who produces wheat and ships it to Minneapolis gets the best possible fraction of a cent that is in the wheat; but we have not those advantages in our western inspection. We have three companies, the Ogilvie, the Lake of the Woods and the Maple Leaf, which are practically the only companies we have, with the exception of the Western Canada. We have a few mills in the country, but we had more ten years ago than at present.

Hon. Sir MACKENZIE BOWELL—Is not wheat purchased by sample for shipment?

Hon. Mr. WATSON—Frequently, but purchasing on a sample market, who would buy that wheat outside of the men who control the terminal elevators? There is no question about it if the sample market is established in Winnipeg or Calgary, it would reduce storage capacity for general grain at Fort William and Port Arthur one-third, because sample market means special binnage, and if the government take over one or two elevators, I venture to say they would only have them in their possession a very short time before they would all be filled for the purpose of taking the sample market wheat, and the public would have no place. I venture to say that this clause will drive the grain trade of the Northwest into the hands of a very few firms in a short time.

Hon. Sir MACKENZIE BOWELL—Would that end in the monoply to which you refer any more than buying it through inspectors?

Hon. Mr. WATSON—Yes, because if any person wants to go into the market and buy

grain, it is inspected, it goes forward, and he is entitled to so many bushels of a certain grade of wheat inspected by the inspector. I want to bear testimony to what the hon. gentleman from Killarney (Hon. Mr. Young), said as to inspection, that while in England last summer I made inquiry about the grain business. I had heard statements that people never found a sample of our No. 1 wheat over there. I found that the opposite was the absolute rule. I made inquiries at Manchester, and went to one of the largest grain importing firms there, and they showed me samples of our Canadian Hard Wheat and they were, according to my judgment, the exact sample of wheat such as is produced by the standard board in Canada, and I made inquiries as to complaints. He told me that for ten years he had never had a complaint as to a cargo of wheat that bore the inspection. He said to me: 'You have a man named David Horne, and David Horne's certificate on a cargo of wheat is A 1.' He was one of the chief importers in England, and in ten years he had never had a complaint on a cargo of Canadian wheat. I said: 'What about Duluth?' He said: 'Duluth certificate inspection is no good. We have to buy on sample, and see the stuff, and pay what it is worth. I do not think this Bill will work to the advantage of the producer of wheat, for the simple reason that the conditions are not such as they are in Minneapolis. There is not the competition for the several carloads of wheat, and I believe in two or three years you will find a great many people who are at the present time engaged in the grain business as commission men buying wheat to be graded, and sending it forward and sending it from the elevator at Fort William and Port Arthur, that those men will be put out of business, that a large portion of this wheat sent to Winnipeg, and put on the sample market will be purchased by the large grain merchant in the business, and the small man, who wants to make a living in grain, will be wiped out of business. A man would not simply buy one particular grade of wheat. He would take all his different grades, and he would take all the storage capacity that is now available for the public.

Hon. Mr. WATSON.

Hon. Mr. DAVIS—For fear there might be some idea in the minds of the committee that a combination does not exist, I desire to prove that there is a combination. Last year, before the committee, I asked one of these men the question: 'All your companies are competing in some towns,' and he said: 'Oh, in a very few instances.' Mr. Gage said: 'Our company is fed by different companies in 110 country elevators, such elevators being in Manitoba, Saskatchewan, and Alberta, and in an ordinary year handle six million bushels of grain.' He said that one company owned all these other elevator companies. The Golden West Elevator Company, The Beaver Elevator Company, and so on, and these companies are supposed to be affording some competition to the people in the west. You find that the people who own one terminal elevator, own stock in the other, and they are connected with the railroads.

Hon. Sir MACKENZIE BOWELL—How does that affect the purchasing by sample of grain that has been inspected? They would exercise the same influence in one case as the other.

Hon. Mr. DAVIS—We want protection against the mixing of grain.

Hon. Mr. JONES—As I understand, we have passed the clause and are at subsection 2.

The CHAIRMAN—Yes.

Hon. Mr. JONES—We are admitting the principle that a man may sell by sample, and it is the question really of the mixing we are discussing, and the hon. gentleman's objection is to the words 'and the mixing of grain permitted in connection therewith.'

Hon. Mr. DAVIS—Yes.

Hon. Mr. JONES—That narrows the consideration.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman wants to strike out the whole clause.

Hon. Mr. JONES—Then I want to understand why we are going to pass it if we are not going to put in the machinery to carry it out.

Hon. Mr. TALBOT—A great many farmers sell their wheat by samples. I take my wheat down and sell a load of it to the elevator. It is never graded till they get it. The elevator man grades it.

Hon. Mr. JONES—If clause 57 is left so that a farmer may sell by grade, the hon. gentleman desires to strike out the rest of it?

Hon. Mr. DAVIS—Yes.

Hon. Mr. YOUNG—I would not say a word were it not for the fact that the hon. gentleman from Saskatchewan endeavoured to impress the committee that there is one huge combination in the handling of grain in the west, and that, therefore, the grain business is practically a monopoly at the present time. That is a very wrong impression. I have only to point out to my hon. friend that in the province of Saskatchewan a system of grain handling has been established with the assistance of the government, not only to store and handle grain, but to buy grain, which I am sure have not entered into any combination.

Hon. Mr. DAVIS—What do they do at the terminals?

Hon. Mr. YOUNG—There is another institution known as the Grain Growers' Grain Company. Surely the hon. gentleman would not classify that as being a company of monopolistic tendencies. I am a small living example of one of those who do not belong to one of the great combines. I am living and doing business. Sample markets are as old as the selling of produce. Sample markets started at the time when produce was first sold. It is an ideal market if it can be worked out. Remember that while there are very little differences in the value of our high grades, there is a great deal of difference between the lower grades. If a producer or dealer misses one line and has to drop down to the next, he may suffer a loss of seven or eight cents a bushel. The idea of a sample market is to pick up the cars that are between the two grades at a price half way between, and thereby the loss would not be so great, and is minimized as much as possible. As to whether conditions are right for a sample market I am not so clear. There is a great deal in what has been said by some of the other speakers. You cannot have a sample market unless you have room to bin your grain separately. One must follow the other. You must remember that while you are establishing a sample market you are still retaining the old system and part of the new. That space is now overtaxed, and if you put a greater tax on your space by a double system it will be still worse. I understand a great deal of the wheat is taken care of by the interior mills at Minneapolis. They order it forward directly in cars and it does not reach the elevators at all. So much so is that the case that their drying capacity at Duluth is comparatively small as compared to Fort William and Port Arthur. Cars that are slightly off grade, because of being damp or moist, are picked up by the mills and never go near the dryer at all. It is mixed in with dry wheat and run through the roll without any further process. Conditions are not the same in Winnipeg and Calgary. Minneapolis is the gateway of a great milling district. It may be said that unless you start you never can develop a market. I do not think a sample market should be overlooked and the doors should not be locked until every consideration is given to the facilities which may be offered to those who wish to go into business in the way of storing. If there were only a few big companies doing business, as suggested by my hon. friend, it would be different, but there are dozens and dozens of companies in the grain business that would require storage, and I question very much whether there is enough storage to go around. It would bring more trouble on the head of the government if they started the system and were not able to furnish accommodation. It would make confusion worse confounded if we have a double barrelled system. Another thing is that you have to accept

the lowering of the average of the grain in the bins. You cannot take the cream out of it and still have the average high. One will follow the other as sure as day follows night. You cannot take out the cream and still keep up the qualities of the milk. If the percentage of cars between grades that now go into the lower grade and help to raise the average of the bin, are picked up in the sample market, the effect must be that the average of the bin is lower. There is no getting around the fact that if a sample market is properly worked out it will give a better result to the producer than the present system of grading.

Hon. Mr. LOUGHEED—This clause has been inserted in the Bill at the instance of the farmers themselves. I am informed that the grain growers of the west at one of their conventions, or gatherings, in Regina deliberately, by resolution, asked that provision be made for a sample market.

Hon. Mr. YOUNG—The farmers did?

Hon. Mr. LOUGHEED—Yes. This being done, upon reconsideration some time after, they concluded that they did not want, and they are now opposed to it. Where such a diversity of opinion exists, the difficulty is for the government to know exactly what is in the public interest. We all know that this sample market in Minneapolis is one of the most advantageous features prevailing in the interest of the farmer.

Hon. Mr. YOUNG—Hear, hear.

Hon. Mr. DAVIS—That is under different conditions.

Hon. Mr. LOUGHEED—Different conditions, my hon. friend says; but the time will come when a sample market in Canada must be as advantageous for the farmers of the west as the sample market in Minneapolis is for the farmers there.

Hon. Mr. WATSON—Free wheat in the States will make it all right.

Hon. Mr. LOUGHEED—It has been proposed that some machinery should be introduced into the Act by which a sample market in the course of time might come to be developed, and all the advantages derivable therefrom be had in the interests of the farmer. Unless some declaration of policy is made on this subject by the government in this Bill it would be impossible in the future to have a sample market. It necessitates a great deal of preparatory work, terminal work, with binning and all that sort of thing, and unless such legislation looking to the ultimate establishment of a sample market it would be impossible to bring about those preparatory facilities for its establishment.

Hon. Mr. YOUNG—Will you lock the door until the facilities are adequate?

Hon. Mr. LOUGHEED—What I was about to say was this; looking to that end in view I would suggest that these clauses be not brought into force until the time arrives when the Governor in Council may be satisfied, after proper inquiry, that putting them into operation would be in the interest of the public, and I therefore suggest that we should put a rider to this clause 57.

4. Subsections 2 and 3 of this section shall only come into force upon a proclamation by the Governor in Council published in the 'Canada Gazette,' but the said proclamation shall not be so made unless and until the Governor in Council is satisfied that the proper conditions exist for bringing the same subsections into force.

If that be the case, we are appointing a grain commission, and we assume that that grain commission will be the best authority in the future for deciding this very important question. They will be more familiar with facts and conditions than any other class in the business. I say without hesitation they will be more familiar with those conditions and will be better able to judge as to whether a sample market should be established than the farmers themselves. And this must be taken into consideration, that we are legislating, not for one class in the community; the grain producers are not the only people interested in the production and ultimate manufacture of grain. There are many interests. There are milling interests; there are all the interests incidental to this im-

portant industry. There is the consumer likewise; the interest of the producer, and the consumer, the interest of the public, and we must harmonize all those interests and legislate in what is the best interest of all.

Hon. Mr. YOUNG—Put the producer first.

Hon. Mr. DAVIS—Where does the consumer come in?

Hon. Mr. LOUGHEED—We must keep in view that we cannot sit down here deliberately and legislate in behalf solely of one particular interest. This interest runs into every ramification of society, and it seems to me it demands at our hands consideration touching the whole of the interests involved and not the interests of any one particular class. Therefore, I suggest that we suspend the operation of this section in the way I have indicated, until proper information is forthcoming for bringing the other subsections into force. It may be one year, it may be two years, it may be a more distant time.

Hon. Mr. YOUNG—The proclamation should not issue before the beginning of a grain year.

Hon. Mr. LOUGHEED—I apprehend that the grain commission will be sufficiently familiar with all the conditions to properly advise when this should be done; otherwise there is no use in having a commission, and we must in my judgment, foreshadow some legislation looking to the adoption of the ultimate future of a grain market. It can only be done by placing it in this way on the statute-book.

Hon. Mr. DE VEBER—The hon. leader of the House has made the statement that the farmers of Saskatchewan meeting at Regina, asked to have this clause in the Bill.

Hon. Mr. LOUGHEED—To have a sample market established.

Hon. Mr. DE VEBER—How does he reconcile that with the fact that there are properly accredited officials of the Grain Growers' Association from Alberta, Saskatchewan and Manitoba, that have been with us a week protesting against the inclusion of this in the Act, and who are now sitting in the gallery listening to the argument?

Hon. Mr. LOUGHEED—I fancy those gentlemen are like others who change their opinions. But the question arises whether they were mistaken in the first place or mistaken now.

Hon. Mr. DAVIS—If they ever did make such a statement, they did it on the strength of the promises made with reference to the government taking over the terminal elevators. No doubt they thought the government were going to carry out their word, and they said, 'We want the sample market when you are going to take over your terminal elevators.'

Hon. Mr. WATSON—I think they must have had in mind the fact that we are going to get free wheat in the United States.

Hon. Mr. DOUGLAS—I think it is about time we should stop discussing this clause. There is no unanimity of opinion as far as this honourable House is concerned, but there was only one voice that could be heard in the meeting last Friday in the Railway Committee room, where we had four or five men of whom I was justly proud because of their education, intelligence, attainments and ability to present the whole case; and if there was one thing in which they were a unit it was that this clause must be taken out of the Bill. Why did they talk that way? Upon this basis; we are not to-day in the condition, neither have we the provision made for the establishment of such a sample market as would be a benefit to the producers of grain in that country. They did not deny the possibility of it being useful.

Hon. Mr. LOUGHEED—We concede that.

Hon. Mr. DOUGLAS—They did not deny that, but they said, 'Present conditions at the terminal elevators are not such as to warrant us in accepting that proposal, and, therefore, we wish it entirely wiped out of the Bill.' Certainly they are the people that are to be heard. They are not speaking as individuals, but as represen-

tatives of the people assembled, passing resolutions, and giving this question their very best attention, and they were sent down to deliver this message. Hon. gentlemen will remember how distinctly the individual from Calgary said, 'These are my last words to the Senate at Ottawa, as commissioned and sent to represent the people—that this clause be deleted, and that it be removed from the Bill, inasmuch as this country is not in such conditions in connection with storage capacity at the terminal elevators at the lakes that it could be made applicable and profitable in our business until such times as those elevators are owned and controlled by the government.' That was their opinion. I give them credit for their interest and for foreseeing the best interest of the producers of the west; and they ought to be the first men to be heard when we legislate on a question like this. It is not a party question, but one for the whole country to consider. It is not for me to say anything to reflect upon the ability or capability of the Senate to investigate carefully, and arrive at wise conclusions; but Bill (Q) received every attention last year, and was unanimously passed. Here, however, we have a clause that brings up for recognition a practice we despise, a practice that was a positive fraud and punishable by law, cases had been tried in the courts, and penalties inflicted, and in order to suppress it we were willing that heavy penalties should be attached, even to the extent of imprisonment for two years. Well, if we were sincere last year where is our judgment to-day? If we were right in preparing Bill (Q) and submitting it to the Commons, why are we going to take back-water? When we come to deal with this Bill that concerns the people generally, the people's interest ought to be considered. I know quite well that those grain buyers from the United States are trusting to mixing for their profits. Indeed, my namesake, J. M. Douglas, who was here as a financier for some seventeen associations, told me distinctly: 'If we lose the ability to manipulate grades, and to advance grades forward in their value, we lose all that there is in the trade with Canada as far as we are concerned, because there would not be much to invite us to invest and expend our money in this country.' Now our object is still to hold on to the facts that mixing grains is fraud punishable by law. We did not see that there was anything wrong in punishing that company to the extent of $25,000 because they were found in possession of 150,000,000 bushels, of No 1 Hard that their books showed that they had never purchased. Therefore, we are just taking back-water in this Bill, and I for one object seriously to going back upon my judgment of last year. I am sure that we were conscientious, patient and diligent and we thought we had agreed upon a Bill that was meeting the wishes of the people and the trade generally; and, speaking for the representatives of the people that appeared within the last few days to ask us distinctly that this should be removed, I do not hesitate to say that if we have any living interest in their prosperity and that of their country, we should let them have their wishes.

Hon Mr. THOMPSON—I am not interested in the wheat business to any extent beyond being a Canadian citizen, desirous of seeing the progress of all Canada. The hon. gentleman who has just taken his seat referred to our having passed a judgment last year which we ought to stand by. I understand that the farmers themselves were favourable at first to this proposition, and that they have changed their view. I think it is very proper and right, if a person makes a mistake in judgment, and afterwards finds that he was wrong, that he should desire to change. The government will meet the views of the common-sense farmers when they tell them: 'We are not going to put this in the Bill now, we are going to attach a subsection which will prevent its application now, but we propose to look into the whole question before we put it into force, and we will give you an opportunity of coming before the board and we will all become educated before this becomes operative.' I am sure that is fair, and I think they will experiment with it and see if they are right. If it ought to be stricken out, I am sure the government would never try to enforce it, for I am satisfied they do not wish to interfere with the farmers of the west. I am in favour of a sample market because it is

nearer to the farmer than to the man who gets the grain in the elevator. It is very little interest to the farmer what bin it goes into. I think the sample market affords a better opportunity to the man who raises the grain than the man who buys. It is not compulsory; the government say they will make it inoperative.

Hon. Mr. DAVIS—Leave it out, then.

Hon. Mr. THOMPSON—Why leave it out?

Hon. Mr. DAVIS—If the government are so anxious about getting the opinion of the farmers, what is the use of them passing this Bill at all ?

Hon. Mr. LOUGHEED—The evidence before the committee last year was sufficiently strong to warrant the hon. gentleman from de Salaberry (Hon. Mr. Beique) in preparing a most elaborate resolution for the adoption of the sample market, and he embodied that in the Bill of last session. It was moved in the dying hours of the session, when there was no time for investigation. There was a very strong sentiment expressed before the investigating committee last session in favour of a sample market. I have in my desk a very lengthy article published in the ' Grain Producers' Journal,' on the great benefits of the sample market in Minneapolis, and along the line of introducing the same condition of affairs in Canada. The difficulty of the government is to ascertain what these gentlemen really want. Were they fully posted on the subject when they asked for a sample market ? Or are they duly informed now as to the unwisdom of such machinery ?

Hon. Mr. DAVIS—Last year I was in favour of a sample market. The farmers may have passed resolutions; I have not seen any. There was a general impression all over the western country that the terminal elevators were to be taken over by the government. Under such conditions we were in favour of a sample market.

Hon. Mr. LOUGHEED—They are being taken over just as much as if the government owned them. They will be regulated by the government.

Hon. Mr. DAVIS—This legislation is there for the benefit of one class of people, the middleman who wants to make money out of the farmer. The people of the west are a unit as to this legislation. I want to draw the attention of my hon. friend to a telegram I have received from one of his own political friends, a gentleman who was the organizer of the Conservative party in Saskatchewan and who runs a newspaper at Swift Current. He says: ' Stand by the western farmers. Senate is their only hope. The eyes of the west are upon you.'

Some hon. MEMBERS—What do they want ?

Hon. Mr. DAVIS—I know very well that reflection has been cast on some members of the Grain Growers' Association by friends of the hon. member opposite. It has been said that they are political workers. The people of Saskatchewan are united, and they passed resolutions in reference to one clause in this Bill that we ask to have struck out. It was said here that there was no combination. Anybody who looks at the evidence given last year knows who controls the elevators on the Grand Trunk Pacific. There may be a little fellow here and there who is given a sop to keep him quiet. These combinations control the elevators.

Hon. Mr. YOUNG—They do not do anything of the kind.

Hon. Mr. DAVIS—My hon. friend may have two or three elevators and they may have overlooked him.

Hon. Mr. YOUNG—What about the northern elevator ?

Hon. Mr. DAVIS—These are men who learn the business of monopoly in the United States. The hon. member from Portage la Prairie had pointed out why sample markets were a success in Minneapolis and why it would not help here.

Hon. Mr. YOUNG—Reference was made to the discussion we had on this clause. It is an absolute unlocking of the door to mixing without seeing whether we are right for it or not. It is now proposed that this clause

shall be left in abeyance until such time as a proclamation is issued, which means that the government assumes the direct responsibility to see to it that everything is ready for a sample market before they unlock the door. That alters the position of the clause. I think we will have to put the responsibility on their shoulders and say 'gentlemen you know the danger.'

Hon. Mr. POWER—I was prepared to vote for the amendment of the hon. gentleman from Prince Albert (Hon. Mr. Davis) but it seems to me from the observation made by the leader of the government and the amendment which he proposes that there is something to be said against this amendment. There appears to be a unanimous sentiment against the mixing of grain.

I think the wiser course is to accept the amendment moved by the hon. leader of the government and not to insist upon the amendment proposed by the hon. gentleman from Prince Albert. We ought to strike out these words in lines 8 and 9, 'and the mixing of grain permitted in connection therewith.' We do not want mixing of grain under any circumstances, and if the hon. leader of the government will consent to have these words stricken out, there would be very little objection to his amendment.

Hon. Mr. TALBOT—Every hon. gentleman who has spoken on this question admits that present conditions are not favourable for a sample market. In Minneapolis they have facilities for milling two hundred million bushels per year. We have nothing of the kind at our terminal elevators and it will be years before that can be done. We have put these subsections in now with a rider that they shall not be operative until the government ascertains that conditions are favourable. This Bill will have amendments made to it from year to year; we can amend it next year if the conditions are favourable. We will then know how many elevators the government have bought or control.

The amendment to the amendment was agreed to.

On clause 75,

75. Any person who directly or indirectly gives or offers or promises to give, or procures to be given, any bribe, recompense or reward to, or makes any collusive agreement with, any inspector or deputy inspector, or who makes use of, or threatens to make use of, any force, violence or restraint, or inflicts, or threatens the infliction of any injury or loss upon any inspector or deputy inspector, or upon any other person, in order to improperly influence such inspector or deputy inspector in the performance of his duties under this Act, is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years or to a penalty not exceeding two hundred dollars, or to both.

Hon. Mr. YOUNG—A bribe to a weighmaster, or a bribe to any one who has control of the bin is just as far reaching, and more apt to be effective than a bribe to an inspector, and I think this clause should be extended in that way.

Hon. Sir LYMAN JONES—We might add 'or other officer'.

Hon. Mr. YOUNG—If we strike out the words 'inspector or deputy inspector' and insert the words 'any officer', it would answer the purpose.

Hon. Mr. LOUGHEED—There is no objection to that amendment.

The clause was amended and adopted.

On clause 89,

89. The chief inspector and the inspectors for the division shall, not later than the first day of October in each year, select samples of the different grades of grain, which shall be known as official standard samples.

2. Any such inspector shall, upon request therefor, furnish a sample of any such grade of grain, accompanied by a specific statement that it is the official standard for that grade.

3. The inspectors shall also supply cargo samples when required.

4. For all samples so furnished the inspector shall make such charge as is approved by the board.

Hon. Mr. YOUNG—The date mentioned in this clause is the first day of October.

Hon. Mr. LOUGHEED—That is the date mentioned in Bill (Q) of last session.

Hon. Sir LYMAN JONES—We might substitute the first week for the first day of October, if there is a difference of opinion, leaving it to the commission to say whether it is within the first day or the first week.

Hon. Mr. YOUNG—If the hon. gentleman is satisfied with the first day of October I have no objection.

The clause was adopted.

On clause 105,

Barley.

No. 1 barley shall be plump, bright, sound, clean and free from other grain, and weigh not less than 48 pounds to the bushel.

No. 2 barley shall be reasonably clean and sound, but not bright and plump enough to be graded as No. 1, and shall be reasonably free from other grain, and weigh not less than 48 pounds to the bushel.

No. 3 extra barley shall be in all respect the same as No. 2 barley, except in weight and colour, weighting not less than 47 pounds to the bushel.

No. 3 barley shall include shrunken barley, weighing not less than 45 pounds to the bushel.

No. 4 barley shall include all barley equal to No. 3 weighing not less than 44 pounds to the bushel.

Hon. Mr. LOUGHEED—I want to amend section 4 to read as follows: 'No. 4 barley shall include all barley weighing less than 45 pounds to the bushel.' Strike out 'equal to No. 3' also 'not' before 'forty-four.'

Rt. Hon. Sir RICHARD CARTWRIGHT—That might be an important alteration; who has advised that?

Hon. Mr. LOUGHEED—The chief inspector.

Rt. Hon. Sir RICHARD CARTWRIGHT—Suppose it only weighed 45 pounds would it come under No. 4.

Hon. Mr. LOUGHEED—Yes, that is the lowest grade.

Hon. Mr. JONES—This really takes the place of feed barley, and provides for everything under 45 pounds.

Hon. Mr. YOUNG—I am not familiar with the grades that they make in the western division.

Hon. Mr. LOUGHEED—This is for the eastern division.

The amendment was agreed to.

On clause 107,

Spring Wheat.

No. 1 Manitoba hard wheat shall be sound and well cleaned, weighing not less than 60 pounds to the bushel, and shall be composed of at least seventy-five per cent of hard red Fife wheat.

No. 1 hard white Fife wheat shall be sound and well cleaned, weighing not less than 60 pounds to the bushel, and shall be composed of not less than sixty per cent of hard white Fife wheat, and shall not contain more than twenty-five per cent of soft wheat.

No. 1 Manitoba northern wheat shall be sound and well cleaned, weighing not less than 60 pounds to the bushel, and shall be composed of at least 60 per cent of hard Red Fife wheat.

No. 2 Manitoba northern wheat shall be sound and reasonably clean, of good milling qualities and fit for warehousing, weighing not less than 58 pounds to the bushel, and shall be composed of at least forty-five per cent of hard Red Fife wheat.

Any wheat not good enough to be graded as No. 2 Manitoba Northern, shall be graded No. 3 Manitoba Northern in the discretion of the inspector.

No. 1 wheat rejected for smut and scoured shall be graded as scoured of the grade to which it belongs.

Hon. Mr. TALBOT—On page 28 the word 'Red Fife' is used in No. 1 Manitoba hard, No. 1 hard, No. 1 Northern. We have other kinds of wheat besides Red Fife that are used much more extensively than Red Fife. They are crosses of Red Fife, and should be mentioned.

Hon. Mr. DAVIS—There are large quantities of that kind of wheat growing in the west and I think it should be changed.

Hon. Mr. YOUNG—Is it not the practice to grade all hard wheat if it is equivalent to red Fife? These grades have been established for years and years and no objection taken, and when the thing is working well leave it alone.

Hon. Mr. TALBOT—A sample of this variety of wheat took a $1,000 prize in New York. It was grown in Saskatchewan, and is now sold at $3 a bushel for seed.

Barley.

No. 1 Canada western barley shall be plump, bright, sound, clean and free from other grain and shall weigh not less than 48 pounds to the bushel.

No. 2 Canada western barley shall be reasonably clean and sound but not bright and plump enough to be graded as No. 1, and shall be reasonably free from other grain, and weigh not less than 48 pounds to the bushel.

No. 3 extra Canada western barley shall be reasonably clean and reasonably free from all other grain; shall include weather stained and slightly shrunken but sound barley free from frost and weighing not less than 45 pounds to the bushel.

Hon. Mr. LOUGHEED—We propose striking out the word 'free from frost' in the 43rd line.

Rt. Hon. Sir RICHARD CARTWRIGHT—Has that been well considered? The

words 'free from frost' mean a great deal there.

Hon. Mr. LOUGHEED—The word 'sound' covers that. We have omitted it from the other clauses dealing with other grains.

Hon. Mr. TALBOT—If the grain is not free from frost it would not be sound.

Hon. Mr. LOUGHEED—It would be practically the same as in Bill (Q). It was changed at the request of the grain growers.

Hon. Mr. YOUNG—In making these changes you have to take into consideration the effect it is going to have on existing contracts.

Hon. Mr. LOUGHEED—This section does not come into operation until the first of September next.

Hon. Mr. YOUNG—Are you satisfied that you are doing the proper thing in raising the grade of No. 3 barley?

Hon. Mr. LOUGHEED—It is done at the request of the grain growers, and the maltsters have agreed to it. All the parties are agreeable.

Hon. Mr. POWER—It seems to me strange to say 'No. 3 extra Canada western barley.' When you say an article is extra, you mean it is something better than usual.

Hon. Mr. YOUNG—It is employed because No. 2 has to be sound.

Hon. Mr. LOUGHEED—In clause 4 we propose to strike out the words 'equal to No. 3' and make 44, 45 so as to harmonize with the amendment which they made to barley in the eastern division.

The clause was agreed to.

On clause 122,

Terminal, Public and Hospital Elevators.

122. The proprietor, lessee, or manager of any terminal elevator shall be required, before transacting any business, to procure from the Board a license, permitting such proprietor, lessee or manager to transact business as a public warehouseman under the law.

2. The license shall be issued by the Board upon written application, which shall set forth the location and name of such elevator and the individual name of each person interested as owner or manager thereof, or if the owner or manager of such elevator is a corporation, the name of the corporation and the name of the president, secretary and treasurer of such corporation.

3. Such license shall give authority to carry on and conduct the business of a terminal elevator in accordance with the law and rules and regulations made by the Board.

4. Upon complaint by any person, in writing under oath, setting forth the alleged particular violation of law or rule or regulation, the Board shall forthwith examine into such complaint, and may require such proof as it deems necessary, and if the allegations made are proved to the satisfaction of the Board it may recommend to the Governor in Council the revocation of such license, accompanying such recommendation with the evidence upon which it is based, and the Governor in Council may thereupon, in his discretion, revoke such license.

5. The annual fee for such license shall be one hundred dollars.

Hon. Mr. EDWARDS—With regard to this clause is it quite right that the granting of licenses should be absolutely in the power of the commission, without any recourse in the case of refusal by the commission to grant a license?

Hon. Mr. JONES—That clause makes it compulsory that the board must grant a license.

Hon. Mr. LOUGHEED—I do not think it is unreasonable to leave it to the discretion of the board as to whether a license should be issued.

Hon. Mr. YOUNG—That applicant has a right to the license if he complies with the law.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend will state in this case, whether there is an understood right to appeal to the Governor in Council.

Hon. Mr. LOUGHEED—In the revocation of the license there is, under subsection 4.

Hon. Mr. EDWARDS—Would the recommendation of the board be final?

Hon. Mr. LOUGHEED—Not necessarily unless the Governor in Council ratifies the recommendation. It is machinery that we have set in motion for the purpose of making inquiry as to whether license should issue. The Governor in Council would not know anything about it; he would have to rely on the board.

Rt. Hon. Sir RICHARD CARTWRIGHT —That is quite so. Is there not some general provision in the Bill under which an aggrieved party could appeal to the Governor in Council?

Hon. Mr. YOUNG--I think we amended Bill (Q) last year to allow an appeal to the Governor in Council, inasmuch as the revocation of a license not only affected the operator of the elevator, but the owner of the grain which the building contained, because without the license he could not operate.

Hon. Mr. LOUGHEED—It is the duty of the board to issue the license. The proprietor, lessee or manager of a terminal elevator must procure a license before doing any business. The board has to issue the license, then the other proposition comes up, and if there be any reason for revoking the license there is an appeal to the Governor in Council.

Rt. Hon. Sir RICHARD CARTWRIGHT —I wanted to ascertain whether you disturbed that or not.

Hon. Mr. LOUGHEED—In fact the board does not revoke the license then; it simply recommends the Governor in Council to revoke.

Hon. Mr. EDWARDS—Would that revocation take place without notice to the individual?

Hon. Mr. LOUGHEED—I should not say so; oh no, surely not.

Rt. Hon. Sir RICHARD CARTWRIGHT —The general principle in such case is clear enough, that the Governor in Council would cause the party to be notified.

Hon. Mr. LOUGHEED—That is because it must be taken on evidence and the evidence submitted to the Governor in Council. Clause 120 is further protective; there must be a new investigation made.

Hon. Mr. YOUNG—What is the nature of the change in 120 between this and Bill (Q)? When that investigation takes place will it not be proper, under 120, that notification should be given the accused?

Hon. Mr. LOUGHEED—No investigation could take place within the meaning of any statute without notification. An investigation would imply that.

Hon. Mr. YOUNG—It would be very unfair to try any person, or corporation either, without a fair notice.

Hon. Mr. LOUGHEED—I can fully assure my hon. friend that notice will be given to all parties concerned.

Hon. Mr. YOUNG—In 121 you have an interpretation clause which extends only from 122 to 149, and in clauses 229 and 226. Now this interpretation clause is a limited one. Does it vary the interpretation clause at the beginning? It seems to be a strange way of dealing with it.

Hon. Mr. LOUGHEED—It is for the purpose of convenience in phraseology, so as not to require mention of a public elevator, that is, in contradistinction to a terminal elevator.

Hon. Mr. YOUNG—But if you look at 2 'y' you will notice that the phrase 'terminal elevator' includes every elevator or warehouse which receives or ships grain, and is located at any point declared by the Governor in Council to be a terminal.

Hon. Mr. LOUGHEED—But, for the purpose of this section a more comprehensive term is used; that is, public elevator includes terminal elevator, whereas in 2 'y' it does not.

Hon. Mr. YOUNG—I see. It is a new departure which might be confusing.

Hon. Mr. BOSTOCK—Must not every elevator receive or ship grain? The definition in 2 'y' says that the term 'terminal elevator' includes every elevator which receives or ships grain. A public elevator must receive or ship grain.

Hon. Mr. LOUGHEED—A public elevator is not necessarily a terminal elevator except for the purpose of these sections. It is an elevator that receives grain from the western division after having been inspected.

Hon. Mr. YOUNG—Is that a transfer elevator, then?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. YOUNG—It is really an eastern transfer elevator under another name.

Hon. Mr. LOUGHEED—Yes, receiving grain from the western division.

On clause 125,

125. The person receiving a license as herein provided shall file with the Board a bond to His Majesty, with good and sufficient sureties, to be approved by the Board, in the penal sum of seven thousand five hundred dollars for each terminal elevator of fifty thousand bushels capacity and under and of a proportional sum for each terminal elevator of more than fifty thousand bushels capacity licensed by him, conditioned to the faithful performance of his duties as a terminal warehouseman and his full and unreserved compliance with all laws in relation thereto.

Hon. Mr. YOUNG—Is the hon. gentleman clear that we have in clause 124 the door completely closed to the hospital elevator taking in good grain, regardless of grade? Having it graded out as if it had been treated in the same manner in which treated wheat is graded, might afford an opportunity to these people to mix.

Hon. Mr. TALBOT—The regulations are prepared by the board. It says 'to be governed by such regulations and restrictions as imposed by the board.'

Hon. Mr. YOUNG—So long as the hospital elevator took in only the grain which quired special treatment, the grading out should be properly done. There is sent to the hospital elevator a car of grain half flax and half wheat. That properly goes to the hospital elevator and is separated there. The wheat should be graded according to quality. But supposing a hospital elevator goes into the business of receiving grain which does not require treatment could this clause not have that graded out regardless of the grading in?

Hon. Mr. LOUGHEED—Is there any possibility of a person shoving in a high grade of grain into a hospital elevator?

Hon. Mr. YOUNG—There are times when the business of the hospital elevator is dull, and they will do the ordinary storage business; and when they are doing that business they should be bound by the grades of the other terminal elevators in the same line of business. When they are doing a hospital business the grain that is treated should be graded out properly. A hospital elevator may be a double barrelled institution.

The clause was adopted.

Hon. Mr. COFFEY, from the committee, reported that they had made some progress with the Bill and asked leave to sit again.

BILLS INTRODUCED.

Bill (166) An Act to amend the Prisons Reformatories Act.—Hon. Mr. Lougheed.

Bill (168) An Act to amend the Exchequer Court Act.—Hon. Mr. Lougheed.

Bill (169) An Act to amend the Bank Act.—Hon. Mr. Lougheed.

Bill (170) An Act to amend the Quebec Savings Banks Act.—Hon. Mr. Lougheed.

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

After Recess.

MANITOBA BOUNDARIES BILL.

DEBATE RESUMED.

The order of the day being called,

Resuming the further adjourned Debate on the motion for the second reading (Bill 115), An Act to provide for the extension of the Boundaries of the province of Manitoba.—(Hon. Mr. Montplaisir.)

Hon. Mr. COSTIGAN—I desire to make a motion in reference to this Bill, but will make a few preliminary remarks, having been pretty closely identified with the question of education in this country. It is a regrettable thing that the question has to come up so often. I think it is from a want of that spirit of live and let live that should actuate every loyal Canadian that this question should agitate the public mind again. I remember when the same question was fought out in New Brunswick, and also when the question was up in Manitoba before, and what took place at the time of confederation, because we would not be enjoying confederation now if these guarantees had not been put in the constitution of our country, and while the Catholic minority in this country is talked

about and found fault with for raising the question from time to time, let me say—and I defy contradiction of that statement—that the first question raised at the time of confederation for these guarantees was by the Protestant minority of Quebec. Mr. Alexander Galt, who was leading in the minority in the province, took very strong grounds, as did also the late Mr. Holton, who was then representing Chateuaguay in the province of Quebec. I am glad to be able to say that the province of Quebec never repudiated, or tried to repudiate that clause in the constitution of the country that gave to the minority in the province the same rights that were given to the minority in the province of Ontario, and the province of Ontario only got these rights because the rights were insisted upon for the minority in Quebec, and they could not very well refuse to do the same for the minority in Ontario. That is the reason Ontario was included at the same time, but there is a stronger argument than that in favour of the old province of Quebec and in favour of that spirit of broad-mindedness which has always actuated these people. At the time of confederation, Mr. Galt pointed out—as also did Mr. Holton—that the law did not give them all they required in the province of Quebec. It was then understood that at the next session of the old Canadian parliament a law would be introduced giving a full measure according to the demands of the minority in that province. It was found later on that that measure could not be passed that session on account of the government requiring to go to England to attend to the passing of the British North America Act. Mr. Holton took very strong grounds then.

The minority had to depend on the good faith of the leaders of the province of Quebec, who pledged themselves that, at the next session of parliament they would pass a school law giving the minority of that province the rights they demanded. There is one clause in the Confederation Act that is explained by that position. You will find in the Confederation Act a provision, that if a legislative body should confer rights upon a minority, that legislation remains permanent and cannot be repealed without an appeal to the Governor General in Council. That was done in order to protect the minority in Quebec. That is the only guarantee they wanted. Those who have read the 'Debates' of that time remember that the minority in Quebec wanted to feel sure of their representation in parliament, and they got it.

Hon. Mr. CLORAN—Thirteen counties.

Hon. Mr. COSTIGAN—Yes, and the law was made so strong that even the local legislature could not change the boundaries of those constituencies without a majority of the representatives of these constituencies consenting to it. I think I am right in that.

Hon. Mr. POWER—Yes, you are correct.

Hon. Mr. COSTIGAN—At the time of the agitation in New Brunswick it was stated, 'why do you fight so hard for separate schools?' Separate schools are going to last as long as the Catholic church lasts in this country, or any other country. It is a matter of conscience; every Catholic believes that it is his duty to give his children religious instruction at the schools. We, as a minority, are not blessed with the wealth of the majority. We complain that while, according to our conscience, we are obliged to provide schools for our own children, we have to contribute to the schools and taxation for the majority. This, I think, is unfair and unjust. I feel proud of the province of Quebec that they have given positive proof of their broad-mindedness in treating the minority in that province the way they did. They gave them their rights and kept good faith with the minority and granted them all that they had promised. In New Brunswick it was said, why not be satisfied with the condition in Nova Scotia. They had no trouble with their schools in Nova Scotia because, in the administration of the law there, it was administered in a broad-minded way, and left no cause of complaint, except they had no rights under the law. In New Brunswick we had a law up to 1871. We were defeated in the courts and the Judicial Committee of the Privy Council decided against New Brunswick.

I have never raised my voice against that decision, but I have never met a lawyer who has been able to explain that judgment. Up to 1871, according to the school law of that province, we could establish, and did maintain, separate schools all through that province. We received our allotments of money under that law. An agitation was started a few years before to bring in a non-sectarian law. Our rights could not be taken from us until the old law was repealed. It was decided that we had no rights in law, but I cannot understand that decision. The law that was in existence at the time of the passing of this Act in New Brunswick gave us the privilege of establishing schools in every part of the province. We had what was called superior schools in New Brunswick, and that seemed to sway the opinion of the Judicial Committee of the Privy Council, because these schools were a grade under the grammar schools. Some of these schools were started by the Baptists, and some by other denominations, and some few by the Catholic people. Every session of parliament we had to ask for a special grant for the support of these superior schools, and it was a question whether parliament would vote that grant every session or not. I would like some legal gentleman to tell me why we had no rights under the law in 1871. We were able to keep our schools going in any part of the province where we wished to establish Catholic schools, and we did keep them going.

Now to-day in New Brunswick there is a very happy condition of things. I am glad to say that while our rights from the legal point of view, have been denied, the administration of the law is pretty satisfactory and we have schools now that suit very well. We have no great cause for complaint in New Brunswick, and do not complain, and I am not complaining now, except that I want to draw the attention of the House to that one point that I never could understand, that decision against us declaring that we had no rights under the law, when under the law we had our own schools and enjoyed them up to the time that law was repealed. I beg to move, seconded by Hon. Mr. Choquette, that after the word 'time', the following be added:

With the understanding, that in the proper time, a clause will be added affirming the principle that the educational rights to which may be entitled the people of the proposed annexed territory under any law, imperial, federal, constitutional or provincial, or deriving from any treaty or compact, shall be safeguarded.

Hon. Mr. DANDURAND—To what is this an amendment.

The SPEAKER—The main motion is that the Bill be now read the second time. It is moved in amendment as just read.

Hon. Mr. POWER—I should like to ask if that amendment is in order. It is a most remarkable amendment to a motion for the second reading of the Bill.

Hon. Mr. SPEAKER—Is there any objection.

Hon. Mr. POWER—I do not object. I never heard such an amendment.

Hon. Mr. LOUGHEED—May I ask the Speaker if this is not a money Bill. Can it be amended in this way? I would raise that point for the Speaker's consideration.

The SPEAKER—There is no doubt that this is a money Bill, but it is not an amendment to the Bill.

Hon. Mr. LOUGHEED—What is it?

The SPEAKER—It is an amendment to the motion to read it a second time.

Hon. Mr. LOUGHEED—It is proposed that it be incorporated into the Bill. As I understand, it is a clause to be incorporated.

The SPEAKER—But when that motion is made it will be time to make the objection, if it is lost, it fails. I think, on the second reading of the Bill, we may come to any declaration of principle that you like.

Hon. Mr. CHOQUETTE—I would refer my hon. friend to Bourinot, 3rd edition, page 647. Note there that a motion of this kind is in order.

Hon. Mr. LOUGHEED—Where does this amendment come in? It says after the word 'time' those words are to be added.

Hon Mr. CHOQUETTE—The motion is that the Bill be read a second time. After the word 'time' there, we want that.

Hon. Sir MACKENZIE BOWELL—I would like to ask the Speaker, suppose this amendment is carried what becomes of the second reading?

Hon. Mr. CHOQUETTE—It will be read with that.

Hon. Sir MACKENZIE BOWELL—This takes the place of the second reading.

The SPEAKER—If that motion is carried the second reading will take place immediately, unless another amendment is proposed.

Hon. Sir MACKENZIE BOWELL—If the hon. gentleman has allowed the second reading to take place and then moves this as a substantive amendment to the provisions of the Bill, it would be much more in accordance with parliamentary practice. We declare by this resolution what shall be added to a Bill that really has not been read the second time, and consequently the principle of the Bill has not been affirmed in any respect by the House.

The SPEAKER—I understand the motion in your hand is that the second reading be proposed and accepted with the understanding that such and such a principle will be embodied in the Bill.

Hon. Sir MACKENZIE BOWELL—Has not the Speaker gone a step too far. The second reading has not been accepted, because it has not been submitted to the Senate for approval or disapproval. The Senate might reject the Bill altogether by refusing to give it a second reading.

The SPEAKER—The question will come on the amendment. The amendment is to add those words to the main motion.

Hon. Mr. POWER—I wish to point out that an amendment and the main motion cannot stand together, and the hon. gentleman from New Brunswick moved this as an amendment to the motion for the second reading.

Hon. Mr. CHOQUETTE—No, to be added to it; it is not an amendment at all.

The SPEAKER—The main motion is the second reading of the Bill. It is proposed to amend that motion by adding these words.

Hon. Mr. POWER—I say that that is not a regular amendment. Any resolution which will stand together with the main motion, and does not contradict the main motion in any way, is not an amendment. That is the point. If it is true that you can read the Bill a second time and then make this provision, it shows that this is not an amendment to the second reading.

The SPEAKER—Bourinot says that any member may propose as an amendment a resolution declaratory of some principle adverse, or differing from the principle provisions of the Bill.

Hon. Mr. DANDURAND—I draw attention to the contradiction that there is in this amendment and in the statement that your honour has made, that this Bill is a money Bill which can not be amended.

The SPEAKER—Yes.

Hon. Mr. DANDURAND—I cannot see how this amendment can be acceptable if it binds this House to amend this Bill, in the face of this declaration in the committee when we are told in advance that that amendment cannot be made.

Hon. Mr. LOUGHEED—My point is that this being a money Bill, any amendment made at this point on the second reading must necessarily be included in the Bill, and is equivalent to amending the Bill.

Hon. Mr. CHOQUETTE—It will not affect the Bill at all.

The SPEAKER—This is a declaration of principle. It is enlarging the principle of the Bill.

Hon. Mr. LOUGHEED—It must amend the Bill.

The SPEAKER—No, because it is not proposed as an amendment yet. If this motion carries, the Bill will be read a second time, and an amendment being proposed the point of order can be raised.

Hon. Mr. LOUGHEED—Put the amendment and vote upon it.

Hon. Mr. MACDONALD (British Columbia.)—I have listened to the speeches made by the hon. members who

belong to the Roman Catholic church, and I think they have been extremely moderate, considering they were speaking under a sense of deep wrong, although they were speaking outside the Bill and entirely apart from the Bill, yet every indulgence must be made for them considering their strong opinions on this subject, and the fact that they were impelled to say and do what they were saying and doing by the Roman Catholic clergy, and by one or two fanatical men in Quebec. I for one find no fault with them. The hon. gentleman from Grandville (Hon. Mr. Choquette) waxed quite eloquent when he was speaking on the question, giving a black eye to the Postmaster General. The hon. gentleman from Montreal asked for something which could not be done, that clauses protecting the right of the minority in one corner of Manitoba be made a part of the Bill. The hon. gentlemen have lost sight altogether of the fact that this is an addition to the province. It is not like forming a constitution for a new province such as Alberta or Saskatchewan. These were new provinces and a constitution was prepared for them by the government of the day, acknowledging their rights to separate schools, but this is quite different and you could not have one set of laws for a corner of Manitoba and another set of laws for another part. It has to be left entirely to the province of Manitoba and anything of that kind was being done against the law of the land. The hon. gentleman from de Salaberry (Hon. Mr. Beique) laid down the question very clearly. He said we were guided entirely by the opinion and judgment of the Privy Council, that Manitoba had the legal right on its side, but that the minority of Catholics had the moral right on their side. I quite agree that the Catholics of Manitoba had the moral right on their side.

Hon. Mr. CLORAN—Then why not give it to them?

Hon. Mr. MACDONALD—I think all who desire peace, order and equal justice within our borders will be pleased and satisfied that the Manitoba boundary extension has been settled on conditions satisfactory to the Dominion and provincial governments. After prolonged conferences and discussions Manitoba is at last coming into its own. I could never understand why the area of Manitoba was so restricted by the government which had to do with settling the first boundary, in the midst of millions of acres of wild and unremunerative land. Every government since the first delimitation has pursued the same parsimonious policy, but now, under the present Conservative administration, the hopes and aspirations of Manitoba are brighter, and it is gratifying to find the government with a just appreciation of this question. I would like to have seen not only Manitoba, but Saskatchewan and Alberta, given full autonomy, full control of the public domain within their borders—and not kept longer in leading strings; and as to subsidies, place them in the same position as the provinces which control their own lands.

It is demoralizing to provincial governments to be spoonfed for years, and thousands of dollars thrown into their lap for which they did not toil or spin. They should be allowed to work out their own financial arrangements. In turning over a new leaf with a new Liberal government in power, the provinces of Saskatchewan and Alberta should have been given full autonomy and less money. I have however, noticed with pleasure that the Premier, in alluding to the new provinces in his comprehensive and masterly speech, intimated that it is the intention before long to place the land within the borders of these provinces under their own control. I noticed also that the Premier intimated that the maritime provinces, Nova Scotia, New Brunswick and Prince Edward Island, would not be forgotten, but no intimation was given of considering the Pacific province in any readjustment, although it contributes three times as much revenue per head as the Atlantic provinces do. I beg to suggest a way in which British Columbia can be remembered substantially other than financially, by reconveying to the province the land it parted with under stress—although a free will stress. To aid in the construction of the Canadian Pacific railway the province of British Columbia set apart, and at the disposal of the Dominion, a tract, or belt of land, twenty

miles on both sides of the railway line from its eastern boundary to the sea on the Pacific; and some years after this first concession, three million acres of land were placed at the disposal of the Dominion by the province, in the Peace River district. These lands were not hypothecated by the Dominion, but stand unincumbered, excepting such portions as may have been sold or leased by the Department of the Interior. The three million acres have not been dealt with. Seeing, then, that the present government is in a generous mood, and intends to treat other provinces liberally, will it not therefore be consonant with such a policy to reconvey to British Columbia those lands within its borders which were so generously placed at the disposal of the Dominion to strengthen its credit at a time when it did not stand in the high position in which it stands to-day?

The Dominion government has already placed the management of the water-powers within the forty-mile belt in the discretion of the British Columbia government. I admit the province had no legal claim to these lands, but in re-arranging conditions in the other western provinces, its equitable rights should be considered, particularly as such would be in harmony with the Premier's policy. To treat British Columbia otherwise would be anomalous, and not in harmony with that policy. No doubt the Premier of that province will place this question in a strong light, and give convincing proofs for a settlement in the direction indicated.

My remarks are only a sign of what is coming, and what we hope will be done.

Hon. Mr. DAVID—I do not wish to reply to the remarks the other day by some of the other gentlemen of this House. We should approach this question in a proper spirit. It has been stated privately that those who have spoken in favour of the amendment which has been moved, did not have the courage to express their views on the whole question. I am not going to discuss that. The more I hear of this question the more am I convinced that the Senate, which has been established in order to protect the weak and the rights of the minority, ought, on this occasion, to do something to show its usefulness and fulfil its noble and great mission. I am convinced that a man who impartially approaches this question, without going into all its details and intricacies, but placing themselves upon a high standard cannot come to any other conclusion but that the rights of the minority should be protected. When one considers the different laws which have been passed in connection with this matter, and considers the Manitoba Act of 1871, and Northwest Territories Act of 1875, and several other statutes which have been passed in connection with this question, one must come to the conclusion that the fathers of confederation who brought these laws before parliament had the intention of safeguarding the interests and the rights of the minority. Lawyers may differ on the interpretation of statutes or certain provisions of a statute. Courts of justice may render contrary judgments on such interpretations, but they cannot change the fundamental principal which is at the bottom of our great charter, or constitution of 1867. The fundamental principle may be summed up in a few words—respect and protection to the rights of minorities. I have no hesitation in saying that the rights of the Catholics of Keewatin are more certain than the rights which we invoked for the Catholics of the provinces of Saskatchewan and Alberta. In the case of Saskatchewan and Alberta there were provincial laws and ordinances which it was necessary to abrogate in order to do full justice to the Catholics of those provinces. It was almost impossible to abrogate those laws without infringing on the rights of the provinces. Is it not true that in this case there is no provincial legislation which prevents parliament from doing what they think proper in order to safeguard the rights of the minority of Keewatin. There are no provincial laws to be abrogated; the way is clear, and we do not have to trespass on any rights, I admit there are technical difficulties. There are always technical difficulties. There has not been a law since the world began in connection with which technical difficulties could not be raised. Hon. gentlemen, there is something which must prevail over technicalties. It is right, justice and moral obligation. I contend that the Act of 1875 was passed

consecrating the right of the minority to separate schools in the Northwest and the inhabitants of the Northwest Territories have knowledge of the legislation passed by parliament. I contend a moral obligation was created and parliament which is not tied up by technicalties is bound by that moral obligation to recognize these rights. One of the objections raised was that there were no schools in Keewatin at that time, and that no petitions were addressed to parliament or the Senate from that territory. We have evidence to prove that Catholic schools existed in Keewatin, and that the people of that territory have applied to the Prime Minister, to parliament and to the Senate in order to have their rights safeguarded. I have in my hand a petition to which I call the attention of this honourable House. This petition is signed by the Bishop of Keewatin and by 50 or 60 of the inhabitants of that territory. It says—

Le Pas, District Keewatin,
19th February, 1875.

To the Right Honourable
R. L. Borden, L.L.D., K.C.,
Premier of Canada.

The petition of the undersigned residents at Le Pas in the district of Keewatin, humbly sheweth that—

Whereas a Bill is to be presented before the Parliament of Canada for the extension of the boundaries of the province of Manitoba to include part of the district of Keewatin;

Whereas in the said district the minority rights to separate schools are granted and guaranteed by Act of Parliament of Canada, passed in the year 1875, establishing the 'Northwest Territories' and providing for a separate school system (sec. 2 of the Act, sec. 14, chap. 50, Revised Statues) when part of the Keeawtin district shall be included within the boundaries of the province of Manitoba;

Whereas the Catholic minority has already a private separate school established at Le Pas;

Whereas the reason why this school is not as yet lawfully established is solely the action of the Dominion government in not granting the means towards the organization of a school district where under the law, although these means have been requested by different petitions which have not been answered so far;

Whereas we cannot conscientiously accept the annexation to the province of Manitoba unless our full rights to separate schools are safely guaranteed;

We, the under petitioners beg that you will incorporate in the Bill for the extension of the province of Manitoba a clause protecting the rights to separate schools.

And we, your petitioners, do earnestly pray for your aid and influence to the end that our rights may be thus fully protected.

We your petitioners, ever pray,
Signed:
O. CHARLEBOIS, O.M.I.,
Bishop of Keewatin,
And others.

I say that one of the principal objections which has been raised has been removed by the proof which I have just read. There is another reason; the settlement of this question in Saskatchewan and Alberta convinced me that the governement of the day did everything in their power in order to obtain the best possible concession. I cannot say that in this case. No hon. gentleman in this House has been able to say that the government of the day have done everything in their power to give to the Catholics of Keewatin the rights to which they claim to be entitled. We have the right to interfere. This House, which is the champion and protector of provincial rights, must interfere. It is our duty to do so. 'Let us wait' that is the cry we have heard. Hon. gentlemen, we have heard the cry before. History tells us that we must be on our guard against that cry.

That cry was heard in 1872 when the New Brunswick school question was brought before the House and when the government and parliament were asked to disallow the provincial laws which had been passed by the legislature of New Brunswick, relating to separate schools. 'Let us wait.' It was the cry at the time, and they waited, and you know what the result was. We heard the cry in 1871, when the question of the disallowance of laws passed by the legislature of the province of Manitoba was raised before the parliament. 'Let us wait; let us have confidence in the government.' We waited, and you know what the result was. The same cry was heard in 1876, and Sir Wilfrid Laurier has been blamed several times for having placed too much confidence in the Greenway government. We have been told many times that we would have obtained a better settlement if he had not been so confiding in the promises made by the Greenway government. And we know what the result was in this case. When the ordinances passed by the council of the Northwest came before parliament and when the government and the

parliament were asked to disallow those ordinances, the government of the time refused to disallow them. Then also we heard the same cry, 'Let us wait; let us have confidence.' And you know what the result was. Now we hear the same cry, 'Let us wait; let us be confident;' and I regret to say that I have heard those words from the lips of two hon. gentlemen, one of whom has always been considered the father of separate nchools, and the other one of the lights of this House. Naturally those two gentlemen are so respectable that I must admit that they have been acting in good faith. Well, hon. gentlemen, I think we have been deceived enough to be on our guard against that cry. The time has come when this House, and those especially who represent the Catholic sentiment in this House, must do their duty. The to-morrow policy is sometimes very dangerous. To-morrow—we know what that means in the mouths of political men. That reminds me of an old history which propably you must know. A man had been condemned to death, and an application had been made by his lawyer for the commutation of his sentence; and every day the lawyer went to jail to see his poor client, and each time he told his client, 'Wait, wait till to-morrow and everything will be all right.'

Hon. Mr. CLORAN—That was Sir John Macdonald .

Hon. Mr. DAVID—He waited, and on the last day of his life when he was going to the scaffold he met his lawyer, and he said, 'Do you recommend me to-day to still wait till to-morrow?' 'I fear it will be too late to-morrow.' Well hon. gentlemen, I think that the to-morrow policy is very often equivalent to a sentence of death, if on this occasion and in these circumstances, when we are in possession of the Bill, when we may do what we like with it if we do not insert in that Bill the guarantees which are necessary in order to safeguard the rights of the minority in Keewatin, to-morrow will be too late.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. DAVID—Yes, hon. gentlemen, let us wait; let us be confiding; let us conciliate; nothing can be obtained by the minority in this country under this regime. We know this policy of conciliation. Yes, let us wait; let us be confiding; let us be conciliatory, but not to the detriment of right and justice, of conscience. The members of this House especially must remember the famous controversy which took place between the great Cardinal Newman and that great man Gladstone, and you must have heard the last words of Cardinal Newman in answer to certain questions put by Mr. Gladstone—'Conscience before all.' Well, I remember these celebrated words on this occasion, and I say, conscience should be before all. Conciliation does not preclude prudence and precaution, and does not prevent us from doing what justice and the interests of the country require.

It has been repeated so many times that the Senate was established in order to protect minorities that I did not repeat it. We have the speeches of the fathers of confederation, and there is no doubt of Senate was established to protect those rights, and that the Senate should feel it its duty to show that those who had confidence in this House were right, and had reason to believe in the wisdom and in the spirit of toleration of the Senate. If I were allowed to address myself to the Liberals who compose the majority of this House, I would say: 'Gentlemen, what has been said and repeated and done by the most eminent leaders of the Liberal party. Remember the declarations which were made by that great man Edward Blake at the time of the acquisition of the Northwest Territories. He died not long ago, much admired not only in this country, but in the whole empire.

He said:

> He believed that it was essential to our obtaining a large immigration to the Northwest that we should tell the people beforehand what those rights were to be in the country in which we invited them to settle.

Continuing he said:

> He did believe that we ought not to introduce into that territory the heartburnings and difficulties with which certain other portions of this Dominion and other countries had been afflicted. It seemed to him, having regard to the fact that, as far as we could expect at

present, the general character of that population would be somewhat analogous to the population of Ontario, that there should be some provision in the constitution by which they shall have conferred upon them the same rights and privileges in regard to religious instruction as those possessed by the people of Ontario. The principles of local self-government and the settling of the question of public instruction seemed to him ought to be the cardinal principles of the measure.

And Mr. Mackenzie, who was at the time Prime Minister of the government, said:

The clause provided that the Lieutenant Governor by and with the consent of his council, or assembly, as the case might be, should pass all necesasry ordinances in respect of education, but it would be specially provided that the majority of the ratepayers might establish such schools and impose such necessary assessment as they might think fit, and that the minority of the ratepayers, whether Protestant or Roman Catholic, might establish separate schools, and such ratepayers would be liable only to such educational assessment as they might impose upon themselves.

Those are the declarations of two of the most eminent men in the legislatures of this country.

Hon. Mr. DOMVILLE—They are both dead.

Hon. Mr. McMILLAN—Does the hon. gentleman tell us that that was the law in the Northwest Territories when the provinces of Alberta and Saskatchewan were taken in? Does the hon. gentleman not know that the law of 1875 was amended and its wings clipped off completely, so that they really had no separate schools in those provinces at the time the provinces were formed?

Hon. Mr. CLORAN—Yes they had. What is the use of making a statement which is not correct?

Hon. Mr. McMILLAN—I know what I am talking about. At the time the provinces were formed they had no such things as text books, no such things as inspectors or trustees. They had no privilege in the world except the privilege of going to the school at half-past three o'clock and teaching the Catholic religion to their pupils. That was the law.

Hon. Mr. BELCOURT—That was not the law.

Hon. Mr. DAVID—We have nothing to do with the provincial law passed in Manitoba. I said the field was clear and there was no provincial legislation in the territory of Keewatin which would prevent them from doing what was right in the interests of the Catholics of that territory. I could cite also, not only what was said by the hon. leaders of the Conservative party, Sir John A. Macdonald, the Hon. Mr. Campbell, and I am not sure Sir Mackenzie Bowell was not at the time one of those eminent leaders of the Conservative party who acquiesced in the laws of the Northwest Territories as they were passed. I have not found remarks in 'Hansard' by the Hon. Sir. Mackenzie Bowell, but I have seen no protest on his part against the law which was proposed to be passed and against what had been stated by his colleagues Sir John A. Macdonald and Hon. Mr. Campbell. So that I am right in saying to the hon. members of this House, whether they are Liberals or Conservatives: 'You have only to follow the example and the lesson given to you by your hon. leaders, those you admire so much, and you are sure to be right.'

Hon. Mr. DOMVILLE—There is no principle in that.

Hon. Mr. DAVID—Let us take those lessons and examples and let us not forget that the institutions which are not founded on right and justice do not last long. We love our country, we like to speak of the great destiny of Canada; let us remember that we must not in our laws sow seeds of discord and discontent which would hamper its progress and ruin its future, and perhaps frighten away the millions of people who will emigrate to and enrich those vast territories. This is the advice given us by the hon. leaders of both parties, and I hope that the members of this House will act in accordance with the advice given to them by those eminent people.

Hon. Mr. BELCOURT—I intend to support the amendment, but it is not my intention to go over the ground which I covered the other day. I said practically all I had to say on the merits of the question. I am compelled to rise at this moment because it would appear to me that some hon.

gentlemen are disposed to vote against this amendment on the ground that it infringes the rule that this House has no authority or jurisdiction to deal with money matters. I submit in all confidence that this amendment is not open to that objection. It contains nothing which infringes that rule. The rule as laid down in Bourinot at page 626 reads as follows:

> 11. As a general rule, public Bills may originate in either House, but whenever they grant supplies of any kind, or involve directly or indirectly the levying or approbation of any tax upon the people, they must be initiated in the popular branch, in accordance with law and constitutional practice (f).
>
> Section 53 of the British North America Act, 1867, expressly provides:
>
> Bills for appropriating any part of the public revenue, or for imposing any tax or impost shall originate in the House of Comomns.
>
> And a standing order of the House of Commons declares explicitly:
>
> All aids and supplies granted to Her Majesty by the parliament of Canada are the sole gift of the House of Commons, and all Bills for granting such aids and supplies ought to begin with the House, as it is the undoubted right of the House to direct, limit, and appoint in all such Bills the ends, purposes, considerations, conditions, limitations and qualifications of such grants which are not alterable by the Senate (g).

In what respect does this amendment infringe that rule? There is nothing which deals with supply or which directly or indirectly levies or appropriates any tax upon the people—absolutely nothing. It does not involve any expediture of money, and I do not think any one will argue that there may not be in the Bill monetary and other provisions. If the monetary clauses come within the provisions of the rule, they could not be altered by the Senate, but surely it would not be contended seriously for one moment that a Bill which contains other provision, in addition to the money provisions, could not be altered by the Senate. It would be absurd. Otherwise all the House of Commons would have to do would be to put all its legislation into the Supply Bill and this House would be reduced to absolute impotency. That contention, on the face of it, is absurd.

Hon. Mr. LOUGHEED—While it is a pleasure to hear my hon. friend deal with this subject, it is necessary, in view of the fact that the Chamber has accepted the ruling of the Speaker, there has been no appeal from his ruling, and for the purposes of the debate we accept it as being proper.

Hon. Mr. BELCOURT—That may be so, but I rise for fear some hon. friend may be inclined to think that the amendment infringes the rule. If my argument is not convincing, a simple reference to Bourinot at page 629, will suffice. He says:

> It is frequently found convenient to introduce Bills involving public expenditure in the Senate, and in such case, the money causes are embodied in the Bill as presented, in order to make it more intelligible; when the Senate goes into committee on the Bill, these clauses are ordered to be left out. They are printed in red ink or in italics in the engrossed Bill sent up to the Commons and are technically supposed to be blanks. These clauses are always considered in a previous committee by the Commons, and then regularly referred to the Committee of the Whole on the Bill. In the same way, resolutions imposing a tax or duty must be alone considered by the Commons, and referred to the committee on a Senate Bill.

There is the very provision which provides that a Bill may be initiated in this House containing both monetary provisions and other provisions, and whilst the Senate is precluded from dealing with the monetary provisions, jurisdiction is given to it to deal with questions that are not monetary. The whole question is whether this amendment is one affecting supply or is for the purpose of levying an appropriation for any tax upon the people. What is there in this amendment which in any way concerns supply or levies or appropriates any tax on the people? The mere reading of the rule seems to me to be absolutely conclusive that this is not an amendment of a monetary character. If there are any inclined to vote on that ground, I submit they will not be justified in doing so. The argument which has been set forth by the hon. member is based on common sense and backed by the authorities. I hope the hon. leader of the government will not insist on having the Speaker rule that it is a money Bill because there happens to be a financial clause in it. I know the calibre of the leader of this House, and he knows what he says in that regard is not founded on sense or justice. If he were not in the position he occupies he would not urge it, because if his view should prevail this House would become an empty nothing, and we

would not have the right to discuss any Bill of consequence.

The SPEAKER—I would call the attention of the hon. gentleman to the fact that the question has been disposed of by my ruling. The question now before the Chair is the amendment moved by the Hon. Mr. Costigan.

Hon. Mr. CLORAN—An opportunity may be taken to question that ruling later on. I will pass to the hon. gentleman for British Columbia (Mr. Macdonald). I wish to extend to him, on my own behalf, and on behalf of my co-religionists in Manitoba, their sincere thanks for his kind remarks. His sympathy is deep. He tells this honourable House that it was not a proper thing for the Protestant majority in Manitoba to take the money of the poor Catholics to educate their children. That is a proper statement. It is the foundation upon which rests my opposition to this Bill. I am not going to discuss the legal features. It is useless to try to convince some people by legal arguments. The only ground on which you can appeal to some people is on the question of honour. Is it not time for the Manitoba majority to be ashamed of themselves? Is it not time for that majority, composed of Doukhobors, Gentiles, Jews and Christians, to stop taking the good money from the poor class of the population to educate their children? I put that to the member from Portage la Prairie. Is not it a shame for him to go over to his confrère in the Senate and take good money out of his pocket to educate his Protestant child? Ought not he and the senator from Killarney to be ashamed? They would not do such a thing in an ordinary transaction, but they are taking it in a mean way, by law, but not with the sanction of honesty and justice. Is it not time for Manitoba to open its eyes and acknowledge the wrong it is perpetrating under the guise of law, stealing the money of the minority to educate their own children, Jews, Gentiles, Doukhobors and others? Is it not time, that the rest of the Dominion woke up along the line of honour and justice? Why should not Manitoba retrace its steps? This agitation was born in scandal and iniquity. The agitation for the abolition of separate schools was due to a rank crime in the ranks of the liberal party of the day. Mr. Greenway, then Prime Minister, said to me 'Mr. Cloran you can go back to the province of Quebec and tell them that my governement is not in favour of this agitation, and is not in favour of the abolition of separate schools. You can go back and assure your friends that the Liberal party as a whole is opposed to this agitation. It is a hard thing for a Prime Minister to say, but I have got to say it of one of my colleagues 'That man Martin is a scoundrel; he is using this agitation to cover his tracks in regard of a certain transaction in railway matters and other deals.' These are the words of the Prime Minister of the day to me, when I was on a special mission from the Quebec government to find out what was at the bottom of this agitation for the abolition of separate schools, and to find out what was at the bottom I went to the Prime Minister and that was his declaration to me. I have interviewed nearly all the prominent men of the day with regard to the matter and there was not one, with the exception of Joe Martin, who was in favour of the agitation. This was in October, 1889. Mr. Greenway said to me:—

'Is it wiser that I should be kept at the head of affairs than be swept away by the hurricane of passion and prejudice that is sweeping over the province under Joe Martin and Dalton McCarthy? I then called Mr. Martin and three or four cabinet ministers to the Queen's hotel where I interviewed them at dinner, and they were all favourable to the proposition I made, which was this, 'Mr. Greenway, if you carry on this agitation in Manitoba for the abolition of separate schools you are going to hurt, if not ruin, the prospects of the Liberal party throughout the Dominion, and you will surely ruin them in the province of Quebec, because the clergy are deadly opposed to the Liberal party, and if they can put the odium of this agitation on the Liberal banner, it will extend to us and we will be hurt by it, if our prospects will not be ruined.' Thereupon Mr. Greenway, and the majority of his colleagues, said they did not want to do that, but Martin's answer to me was, 'You can

go to Hell.' That is straight over the table, 'You can attend to your own show down in Quebec, and we will attend to our own show here in Manitoba.' That is the answer of that hon. gentleman at the time, of whom his Prime Minister confessed to me, 'it is a hard thing to say of one's colleague that he is a scoundrel, Mr. Cloran, but if I tried to stem that tide of passion and prejudice I would be swept out in 24 hours, and that same Martin would be called to form the government. Now, which do you prefer?' I then went to Brandon and interviewed the now famous Sifton, who was then a budding lawyer, and had been recently elected to the legislature. He was deadly opposed to the agitation and opposed to the Martin Bill. The same Mr. Sifton, who put a knife to Laurier's throat some years ago on this question, the one who is now an ex-minister, told me directly in his office that he was opposed to the agitation, and I have given you the names of the others. I crossed from Mr. Sifton's office to the largest merchant in town, mayor of the town at the time, and I believe, as he told me, Grand Master of the Orange Lodge. He told me he was opposed to the agitations, 'for,' he said, 'there is no doubt that there are faults in the system as it exists, but that is no reason why the rights of the people should be taken away from them. Let the government remedy the faults and the errors.' I am giving you facts and names, and I think the senator from St. Boniface (Hon. Mr. Larivière) will remember the occasion; I am almost sure he was there.

Hon. Mr. LARIVIERE—The hon. gentleman is calling my attention. May I ask if Joe Martin is of the same party that was introduced to the House by Sir Wilfrid Laurier?

Hon. Mr. CLORAN—Didn't I tell you he was a disgrace to the Liberal party. I have been saying that right along. That shows the hand; there is no sincerity in your attitude. I am sincere in saying that he was a danger to the Liberal party.

Hon. GENTLEMEN—Order.

Hon. Mr. LARIVIERE—I call the attention of the Speaker to the fact that the gentleman said there was no sincerity in what I said.

Hon. Mr. CLORAN—I do not want to discuss with a partisan, but I want to call the attention of the hon. member from St. Boniface (Hon. Mr. Larivière) to this other fact, if I am not mistaken about his presence. After I did go through my commission in sounding public opinion on this question, Mr. Prendergast, who had been provincial secretary and had resigned, although he held a position in the government, but owing to this agitation had resigned his seat—he was practically the only representative of the people that could address public meetings, and they had no English representative at all, while I think there were four or five members against the Bill, five or six at the most, and he called a conference of the leading French Canadians of St. Boniface, and asked me to attend to discuss the situation. I think my friend from St. Boniface, Judge Dubuque and others were there; and lo and behold, when I got there, the proposition was made that I abandon my mission, remain in the province, and take up the championship of the separate schools with our friend, now Judge Prendergast. Seeing the sentiment among the public men to be so fair and so just towards the minority, I returned and communicated my report to the Quebec government. Now, what was the object of the Quebec government, which was then Liberal, in having this mission performed, and securing this information? If I had been obliged to report to the Quebec government that the agitation for the abolition of separate schools was based on pure prejudice, pure hostility, pure animosity to Catholic rights, then the Prime Minister of that day was prepared to take the identical Manitoba Bill, word for word, for the abolition of separate schools of Manitoba, enact it in the Quebec legislature, not for the purpose of taking away the rights of the minority, but for the purpose of forcing Sir John Macdonald to disallow it, which he would have done in 24 hours, and then Sir John Macdonald would have been advised to disallow the Act of 1890. But on my

report it was not necessary. From that very day we have had in Mr. Greenway always a friend of conciliation. People wonder how he could do what he did, but Mr. Greenway was no bigot, no fanatic, and was not a man who would willingly and off his own bat take away the rights of the minority. As he stated with his other colleagues, this agitation should have confined itself to a remedying of the errors and of the faults that lay under the separate schools system; and the member from St. Boniface knows well who is the guilty party in the administration of the school law at that time; he knows what gives strength and force to Martin's accusations against separate schools; he knows that while the Protestant population were educating their children at the rate of one dollar per head, it cost Catholics four dollars per head to have an unworthy education. He knows that, and he knows where that cost was brought in. That was the foundation upon which Mr. Martin secured the votes of Manitoba. Now there is the inside history of that agitation, and the province of Manitoba was then under the influence of a hurricane of passion and prejudice so that at the very time I was in Brandon it was not safe for a Catholic priest or a Catholic nun to walk the streets of that town. I know it, because I had a brother-in-law there at the time, who was a gentleman, and who dare not go out in his religious robes, but had to sneak out at nights, and a celebrated order of Catholic nuns from England, composed of the wealthiest ladies of the land, trying to do good—

Hon. Mr. LOUGHEED—I would like to rise—

Hon. Mr. CLORAN—You don't like the truth.

Hon. Mr. LOUGHEED—I rise to a question of order. This is certainly not relevant to the question.

Hon. Mr. CLORAN—It is relevant to separate schools. I am telling how separate schools were abolished in Manitoba.

Hon. Mr. LOUGHEED—We are discussing the question of the right of Keewatin. We are not going into the Manitoba school question.

The SPEAKER—The hon. gentleman should not forget what is the motion before the chair.

Hon. Mr. CLORAN—Separate schools.

Hon. Mr. LOUGHEED—No, it is not separate schools.

Hon. Mr. CLORAN—One is to safeguard the rights of the Keewatin people. Now, I am telling you what kind of a law you are going to put the Keewatin people into.

Hon. Mr. LOUGHEED—That has nothing to do with it. I press my point of order.

Hon. Mr. CLORAN—The motion is that the rights of the Catholics or Protestant minority, whatever it may be in that district, be safeguarded. Safeguarded against what? Not against a lamb. A lamb would not chew them up; a lamb would not take away their rights; but we are asked by this motion to safeguard the rights of a free people to-day, enjoying free rights, enjoying religious and educational rights free; and we are asked to hand them over to a province such as I have just been describing, giving you the facts and figures that can be found in the records in the archives of the province of Quebec if you want them. Then the leader rises to say I am out of order in depicting a body of men——

Hon. Mr. LOUGHEED—Yes, I again press the point of order. Let my hon. friend keep to the amendment. I shall repeat my objection until my hon. friend speaks to the amendment. We have heard enough of the Manitoba school question, and it has nothing to do with this question.

Hon. Mr. WATSON—I should just like to say, on the point of order being raised, that the statements made by the hon. gentleman in reference to the situation in Manitoba never existed since I have been in Manitoba, and I have been there since 1876.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. CLORAN—There are lots of things that exist in Manitoba that you know nothing about. You didn't know that about Brandon.

Hon. Mr. WATSON—No, I did not, and I am sure it did not exist.

The SPEAKER—Order.

Hon. Mr. CLORAN—The hon. gentleman forces me, after a denial of that kind, to set facts right. I have just made him admit now that there are several things he does not know.

The SPEAKER—No, I think the hon. gentleman did not catch the question thoroughly when he spoke of that on the point of order. If the hon. gentleman had risen on the point of order it was to discuss the point of order, and not to throw more fuel on the fire. I think the hon. gentleman should lay that argument aside.

Hon. Mr. DERBYSHIRE—He should not have said a word.

Hon. Mr. CLORAN—Well, hon. gentlemen, I know the amendment is not agreeable to a large number of senators—not to a large number, but some.

Hon. Mr. CHOQUETTE—Yes, they are all for it.

Hon. Mr. CLORAN—Well, I do not know about that. The amendment is one that appeals to me, from the point of view of fair play and duty that this government owes to free people coming into another province, and all we are asking is that in this Bill, whereby that free people is to be annexed to a foreign province—foreign in aspiration and in system of government, especially in regard to education, foreign in religious views, foreign in nearly every thing—it is only right that this parliament should have a proviso in that Bill whereby all those rights which are now in existence should not be cut out and destroyed.

Hon. Mr. DOMVILLE. What is before the chair?

Hon. Mr. CLORAN—You. That is what is before the chair, to safeguard the rights of those people in the territories who are free to-day as they please and as they vote. Now, I understand that the interests involved in this are more or less—I won't say political, but they are for the greater extension of Manitoba. Nobody has any objection to that. You are granting a large sum of money for the cause of education. We have no objection to that. All we are asking is simply and bluntly to prevent such occurrences in Keewatin as have happened in Manitoba. We do not want the principle extended of allowing the majority to go into the pockets of the minority, appropriate their money to spend it on their children, whether they belong to one sect or another. We want our own money for our own children. Now, that is a plain thing. If senators cannot vote for that principle, I give up guessing about honesty and honour; that is the size of it. There is nothing more in it than that very plain statement of fact. If they cannot see that going into our homes and taking the money of the Catholic children to be voted to the education of Jews, gentiles and Protestants, or whatever sects you may want to call them, I say it is a sad state of affairs; and then afterwards for the Catholic minority to be taunted that their schools are not up to date, that the children are not well educated. A pity they would not be. How can the poor pay twice; once to the majority, and then turn around and have schools equal to the public schools supported by two classes, one honest and the other dishonest. Now, that is the plain language of it, and the more this is pounded into the people of Manitoba the better it will be, and this question will not die out until the majority stop taking the last dollar from the Catholic father to educate Jews, Doukhobors and Protestants.

Hon. Mr. DOMVILLE—The hon. gentleman has forgotten that the Jews are the progenitors of us all. We got our religion from the Jews.

Hon. Mr. CHOQUETTE—As seconder of this motion, I just wish to say a word, especially in view of what has been said by the hon. member from Mille Ile (Hon. Mr. David) about the duty of the Senate and in support of his contention. I am not going to give my opinion, but I would just like to read the opinion of a very prominent member of this House on another Bill, when it was before the Senate:

As to the member for Mille Iles (Hon.

Mr. David) has truly said, the duty of the Senate is to interfere when the rights of the minority are in question, and I am just going to prove the assertion by citing to this House a speech made the other day by the hon. member from Halifax (Hon. Mr. Power) on the Bill to assist the improvement of highways. The hon. member was opposed to the Bill unless there was some provision to protect, as he said, the small provinces, the weak, those who were not able to take care of themselves. Here are his words:

> If a measure is submitted to us which appears to contain dangerous elements, or which threatens to work injustice to any province, or to any number of provinces, then it is the duty of this Senate, if the legislation is crude and incomplete, to try and make it perfect and to complete it; and it has always been understood that it is rigidly the duty of the Senate to protect the interests of the provinces, more especially of the smaller provinces.

The hon. gentleman is one of the oldest members of the Senate, who ought to know what is the duty of the Senate; and if he thinks his duty is to stand up in this House and defend provinces when there is only a question of dollars and cents, it seems to me that this same gentleman ought to be the first in this House to stand up, where there is a question of conscience, of duty, of honour, and repeat the same principle that he advocated the other day, that it is the rigid duty of the Senate to make a measure complete and to see that no injustice is done to anybody.

I wish to put before the Senate the opinion of this prominent member who advocates this principle, that it is the duty of the Senate to intervene and protect, not only the small provinces when it is a question of dollars and cents, but to protect the minority when they are going to be deprived of their rights. I am glad to put these things before the Senate; I am sure that not a member will object to the motion. This is not a question of dollars and cents; it is a question of duty and honour. Now in answer to the hon. member from Glengarry, who put a question to the member for Mille Ille (Hon. Mr. David) as to the rights of the schools in Saskatchewan, I think the hon. member said that in 1875 they had no right to separate schools in Saskatchewan and Alberta. I answer it by the resolution which was carried in Winnipeg on the 13th of this month. There was a gathering of Catholics to protest against this very Bill.

Hon. Mr. LOUGHEED—I hope my hon. friend is not going into a discussion of the Alberta and Saskatchewan school law. I have not the slightest desire to interrupt, but we have to reach some conclusion on this, and it will take some time to discuss the school law of Saskatchewan and Alberta.

Hon. Mr. CHOQUETTE—I just wish to give an answer to a question that was put in this House. Clause No. 7 of the resolution submitted at this gathering of Catholics in Winnipeg is as follows:

> That the convention of Catholics of Manitoba declares its willingness to accept as a solution of this vexed question a settlement along the lines of that adopted in Alberta and Saskatchewan.

Showing that they have rights there, and that they will be satisfied with such a settlement. We ought to do something to put the Catholics coming from the Keewatin district in as good a position as the Catholics of Saskatchewan are in, and the Catholics of Manitoba are satisfied with that position.

Hon. Mr. LANDRY—Hon. gentlemen, at the outset I will be allowed, I presume, to read to this House a telegram I received from Le Pas. It is addressed to the Speaker and members of this Senate:

> Minority of Keewatin protest against annexation to Manitoba without its school rights being guaranteed. Demand rejection of the Bill in Senate. Petition follows, (signed) O. Charlebois, for the minority.

I will lay that telegram on the table. The circumstances under which the present confederation took the place of the former union of Upper and Lower Canada and the special conditions that brought about its inception are all well known. The union of the two Canadas could no longer survive the countless differences that daily tore it and that made a successful adminis-

tration of the affairs of these two old provinces thenceforth impossible. Necessity demanded the discovery of some other political system whereby each one of the provinces might be allowed to settle for itself according to its own will and for its own immediate benefit those thousand and one questions of special interest, the solution of which, for over twenty years, had been left to an administration that repeated political crises had weakened and spasmodic political convulsions were killing.

A confederation, with a federal parliament where great questions of general interest would be discussed, and with local legislatures wherein the more domestic problems of special interest to the different provinces would be regulated, was proposed. And for that, confederation was accepted.

The provinces that then decided to form part of that confederation only consented to become members thereof after protracted deliberations in which some of the most distinguished men of Upper and Lower Canadas, of Nova Scotia and New Brunswick had taken part. It was they who discussed the project of confederation and who settled, by common agreement, the basis on which the new political structure was to be raised. We had a written agreement, sanctioned by England, and to which the imperial power gave a legal existence by means of an enactment—an enactment that we cannot touch, that is the ark of our liberty, wherein our most sacred interests have been deposited, safe from all attack, from the breath of hatred, the turmoil or racial and religious contentions, under the protecting folds of the British flag.

What, then, is this Canadian confederation and what is its grand characteristic?

It is the assemblage of all the heterogeneous elements, of divers races, different creeds, varied tastes, aspirations and tendencies; who under one sky, from the fringes of the Atlantic to the mirror expanse of the Pacific, live beneath one flag, in a union of hearts and minds, and growing up with a common desire to raise their common country to the rank of a nation respected abroad and prosperous at home.

The Canadian confederation is a union of diversities, and those very diversities render still more admirable the union that blends them together.

But if that union of divers elements has constituted a confederation we may say, without giving umbrage, that their harmonizing will be the source of the country's greatness and prosperity.

It was in order to secure that harmony that, from the outset, the fathers of confederation established a division of powers between the federal parliament, on the one hand, and the provincial legislatures, on the other.

The British North America Act consecrates that division and enumerates the powers that belong to the federal parliament and those conferred on the legislatures.

There is also another principle which equally consecrates—and with like force—our constituting enactment.

It is the preservation to the minority—in each of the provinces—in matters educational—of all the privileges and of all the rights which that minority might have acquired before the entry of such province into the confederation. And it is in this way that the rights to denominational schools were for ever secured in the provinces where they were then found in existence.

The British North America Act says so:

> 93. In and for each province the legislature may exclusively make laws in relation to education, subject and according to the following provisions:—
>
> (1) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

The question as to whether Catholics in general have a right to denominational schools is answered by our charter, the imperial enactment, in these words: 'Yes, at all events in the provinces where such schools exist according to law, at the time of their entry into the confederation.'

And this accords with the consecrated principle of the preservation of a right already acquired.

If we apply this general principle to the territories that come into the confederation, without having had any prior provincial existence and without having had con-

sequently any opportunity as provinces to legislate on educational matters, we are led infallibly to the same conclusion.

This is easy of demonstration.

The territories are under the immediate control and government of the federal power.

The only laws that govern them are federal laws. The ordinances after all are merely regulations authorized by the federal law, repealable at will, annullable at any time.

Not being provinces, no provincial laws could they have, nor could the territories acquire such rights as provinces create for themselves.

Yet those territories are none the less subject to laws, and if those federal laws, the only laws possible in the case, give to a particular class of people, in these territories, denominational schools, the same principle of the preservation of acquired rights which applies to provinces on their entry into the confederation, applies equally and with the same force to those same territories when they, in turn, enter the confederaion.

Now, as a matter of fact, the Northwest Territories are subject to that legislation of 1875, passed by this parliament and which, fully thirty seven years ago, accorded them separate and denominational schools.

That law has never been repealed.

It still exists, and in as far as concerns separate and denominational schools, it exists, just as it was passed in 1875, without ever having undergone any modification.

Therefore the territories come into confederation with rights and privileges recognized and given by law.

The Catholics of the Northwest, therefore, as the Catholics in all provinces, wherein separate and denominational schools exist, have an inalienable right to their denominational and separate schools.

In no other sense can the British North America Act be interpreted.

It was so interpreted in 1875 by the late George Brown when he said (I quote from Sir Wilfrid Laurier's speech) in 1905:

> I repeat again that Mr. Brown, on the floor of the Senate, did not want this clause providing for separate schools to be introduced in the Act. He stated that it would be a mistake to introduce separate schools, he said that he was opposed to separate schools, but he said that if at any time separate schools were introduced they came under the Act of Union, and they were there for all time.

In 1891 the same conclusion was arrived at by Colonel O'Brien and the late Dalton McCarthy during the discussion that then took place in the House of Commons on a proposition to amend the Northwest Territories Act.

Speaking of the separate schools, Colonel O'Brien said:

> The subject, of course, is one that is comparatively new, for all our dealing with the Northwest Territories have been so far tentative, and experimental rather than absolute. We are now, however, going a step further. We are now giving to this assembly powers which it has not hitherto possessed; and there is one thing which may be taken for granted, that with the acquisition of the new powers given under this Act, the people of these territories will inquire why they should be restricted in this great and important particular. It is because I think such is the case, and because I do not wish on a future occasion, when this subject comes again before the House for further legislation, that those who think as I do on this system of education should be met with the objection that so many years ago this system was established by law and that, therefore, a vested right is created which the legislature should not now interfere with. Why, Sir, it would be almost fair to argue that this would come within the provisions of the British North America Act. If not in reality it would by analogy, because the British North America Act secured to the provinces which came into confederation whatever rights were enjoyed by the supporters of separate schools at the time of confederation, and if we create new provinces out of these territories it may be fairly argued that the analogy of the British North America Act will apply, and that in creating new provinces and bringing them into confederation there will be something like the same rights guaranteed to the provinces having separate schools before coming in under the British North America Act.

The present Chief Justice of the Supreme Court of Canada, at that time, Minister of Justice in the Laurier's administration after a most careful study of the whole subject and with the full knowledge of the grave responsibility assumed by him in giving a legal opinion on that question of the rights of the minority, did affirm to the House of Commons, in the most solemn way, on the 10th May, 1905, that in the absence of any special enactment on matters educational, clause 93 of the British North America Act would certainly apply automatically, and such application would bring in and protect all

the rights and privileges set forth by the Northwest Territories Act.

Here are the words spoken by the Minister of Justice:

Mr. FITZPATRICK. I might point out my views of the constitutional question because in my judgment this is to a very large extent a constitutional question and has to be considered from that standpoint. Section 2 would bring into effect section 93 of the British North America Act, if section 16 were not in this Bill at all. If section 16 were omitted, section 93 of the British North America Act would be applicable; but then we would meet this difficulty, a doubt arises as to whether section 93 can be considered as applicable to the Northwest Territories in view of the fact that in the first provision of that section the words used are 'the rights and privileges in force in the province at the union.' Technically while these territories may have practically all the legislative powers of a province, they are not a province now, within the meaning of section 93 of the British North America Act, and it was to avoid the difficulty that I substituted in section 16 in the first paragraph the word 'territory' for 'province.' Then the other difficulty that would have arisen is what is meant by the words 'at the date of the union.' In my opinion there can be no doubt that the date of the union is the date at which the territories came into the Dominion as a province and not the date at which these Indian territories were brought into the Dominion as territories. It was to make that point clear also that I amended the first clause in the way I did.

Mr. R. L. BORDEN. Does my hon. friend regard section 16 as exercising upon section 2 the restrictive effect which hon. gentlemen on the other side have contended it does?

Mr. FITZPATRICK. My argument now, is that section 16, read in the light of these words in section, 'except in so far as varied by this Act'—is to be substituted for section 93; and section 93 is not applicable to the new province at all, because that section is varied by section 16.

Mr. R. L. BORDEN. I understand that perfectly whether we agree with it or not. But assuming that there was no doubt about the effect of section 2, assuming that there was not that doubt which the hon. gentleman now explained, would it bring into effect the Act 1875?

Mr. FITZPATRICK. It would bring into effect section 93 of the British North America Act which would include the Act of 1875.

Mr. R. L. BORDEN. That is just it. I was taking the short line. Section 93 would have the effect of perpetuating the Ast of 1875, in so far as it embodies what we call the restrictive principle. Does the hon. minister regard section 16 (which is substituted for section 2), in its amended form or in its original form as having the same effect?

Mr. FITZPATRICK. In my judgment section 93 as amended would bring in all the rights and privileges which exist in favour of denominational schools in the territories at the present time or at the 1st of July coming. Those rights and privileges would include all those rights which are covered by section 11 of the Act of 1875 and any subsequent legislation up to the present time, and, in my opinion—and I must say I have given this matter most careful consideration, and it is my settled opinion—it would cover all the privileges conferred by the Act of 1875, notwithstanding the provisions of any ordinances that may have been passed by virtue of that Act.

Mr. R. L. BORDEN, Exactly my own view.

But that is not all.

There are sacred obligations that no country can ignore without compromising its honour.

We are to-day face to face with one of those solemn engagements which, with a full comprehension of its circumstances, our country has contracted and which it cannot, without injury to its reputation, ignore.

After having purchased from the powerful Hudson's Bay Company the rights and privileges that the latter held in those vast regions known as Rupert's Land, and the Northwest Territories, when Canada wished to take possession of its new domain and exercise its authority over the same, an insurrection broke out and the people flew to arms.

But in this, let one who was most intimately connected with those stirring events, and who was commissioned by the Crown to re-establish peace in that new land, speak.

An official document laid before the House of Commons on the 17th June, 1891, (No. 51 of the session of 1891), gives us the authentic story of the negotiations between the government of Canada and the delegates chosen by the people of the Northwest. In a letter written by Monseigneur Taché, and addressed to the Governor General, we read:

Previous to the transfer of the Northwest Territories to the Dominion of Canada, there prevailed a great uneasiness amongst the inhabitants of the said Territories, with regard to the consequences of the transfer. The Catholic population especially, mostly of French origin, thought they had reason to foresee grievances on account of their language and their religion, if there were no special guarantee given as to what they considered their rights and privileges. Their apprehensions gave rise to such an excitement that they resorted to arms; not through a want of loyalty to the Crown, but only through mere distrust towards Canadian authorities, which were considered as trespassing in the country previous to their acquisition of the same. Misguided men joined together to prevent the entry of the would-be Lieutenant Governor.

The news of such an outburst was received with surprise and regret both in England and Canada.

All this took place in the autumn of 1869.

I was in Rome at the time, and at the request of the Canadian authorities I left the Œcumenical Council to come and help in the pacification of the country. On my way home, I spent a few days in Ottawa. I had the honour of several interviews with Sir John Young, the Governor General, and with his ministers. I was repeatedly assured that the rights of the people of Red river would be fully guarded under the new regime; that both imperial and federal authorities would never permit the new-comers in the country to encroach on the liberties of the old settlers; that on the banks of the Red river, as well as on the banks of the St. Lawrence, the people would be at liberty to use their mother tongue to practise their religion and have their children brought up according to their views.

On the day of my departure from Ottawa His Excellency handed me a letter, a copy of which I attach to this Appendix A, and in which are repeated some of the assurances given verbally. 'The people,' says the letter, 'may rely that respect and attention will be extended to the different religious persuasions.'

The Governor General, after mentioning the desire of Lord Granville 'to avail of my assistance from the outset,' gave me a telegram he had received from the Most Honourable the Secretary of the Colonies, which I attach to this as Appendix B, and in which His Lordship expressed the desire that the Governor General would take 'every care to explain where there is a misunderstanding and to ascertain the wants and conciliate the good-will of all the settlers of the Red river.'

I was, moreover, furnished with a copy of the proclamation issued by His Excellency on the 6th of December, 1869, which I attach to this as Appendix C. In this proclamation we read: 'Her Majesty recommends me to state to you that she will be always ready, through me as her representative, to redress all well-founded grievances, and any complaints that may be made, or desires that may be expressed to me as Goverenor General.

'By Her Majesty's authority I do therefore assure you that on your union with Canada, 'all your civil and religious rights and privileges will be respected'.'

A delegation from Red river had been proposed as a good means of giving and receiving explanations conducive to the pacification of the country. The desirability of this step was urged upon me as of the greatest importance, and the premier of Canada, in a letter I attach to this as Appendix D, wrote to me: 'In case a delegation is appointed to proceed to Ottawa, you can assure them that they will be kindly received and their suggestions fully considered. Their expenses coming here and returning and while staying in Ottawa will be defrayed by us.'

I left after having received the above mentioned instructions, and reached St. Boniface on March 9, 1870.

I communicated to the dissatisfied the assurances I had received, showing them the documents above cited. This largely contributed to dispel fears and to restore confidence. The delegation which had been delayed was definitely decided upon. The delegation appointed several weeks before, received their commission afresh. They proceeded to Ottawa, 'opened negotiations with the federal authorities,' and with such result that on May 3, 1870, Sir John Young telegraphed to Lord Granville: 'Negotiations with delegates closed satisfactorily.'

The negotiations provided that the denominational or separate schools would be guaranteed to the minority of the new province of Manitoba. The French language received such recognition that it was decided it would be used officially both in parliament and in the courts of Manitoba.

The Manitoba Act was then passed by the House of Commons and Senate of Canada, and sanctioned by the Governor General.

I may add that since these pages were written, the highest judicial tribunal of England, in a celebrated judgment recognized in that legislation the character of a solemn pledge when it said:

> There is no doubt either what the points of difference were, and it is in the light of these that the 22nd section of the Manitoba Act of 1870, which was in truth a parliamentary compact, must be read.

The interpretation given by the Privy Council to the Manitoba Act, does not merely apply to that province alone, for the good reason that the agreement (pacte) in question was not entered into with the inhabitants of Manitoba only—Manitoba did not exist when that agreement was made—but with all the inhabitants of Rupert's Land, and the Northwest Territories, of which Keewatin necessarily formed part. This is made clear and indisputable by the letters from the Governor General and the Prime Minister of Canada to Monsigneur Taché, of the 16th February, 1870, by the proclamation of the Governor General under date the 6th December previous, by the Bill of Rights and by the preamble of the Manitoba Act of 1870 (33 Vic., chap. 3.)

I feel that I have proven that in the Northwest Territories, constituted as they are to-day, and comprising what is to be annexed to Manitoba, the minority has an undeniable right to separate schools, and that our co-religionists have a right to lay claim to the privilege of enjoying their denominational schools.

Notwithstanding the fact that those undeniable rights are well recognized by

that imperial legislation which is the written constitution of this land of ours, notwithstanding the fact that those rights were guaranteed by the law of nations wherever international laws are binding, and protect any treaty contracted in the name of the Crown, the Catholics of Alberta and Saskatchewan were coolly and unmercifully deprived and stripped of their vested rights when the Autonomy Bills of 1905 became the law of the land. The spoliation was manifest. The federal laws which gave Alberta and Saskatchewan their constitution so amended the British North America Act as to restrict the rights, powers and privileges which that Act accords to a certain class of persons in all the other provinces of the Dominion

That which is granted to the minority of all the provinces in general was refused in Alberta and Saskatchewan to the minority of those two provinces.

The demonstration of this will be brief but positive.

Clause 93 of the British North America Act reads thus:

> 93. In and for each province the legislature may exclusively make laws in relation to education, subject and according to the following provisions:—
> (1) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

In virtue of this clause, a province which comes into the confederation with an established system of denominational schools, recognized by its own laws, has the undeniable right to preserve that system and any enactment that might subsequently prejudice in any way whatsoever that right is held to be unconstitutional and worthless.

So much for the general law affecting the provinces.

Why did the Laurier government deem it well to depart therefrom by imposing a totally different law upon the new provinces? His exceptional enactment formally consecrated the following clause:

> 17. Section 93 of the British North America Act, 1867, shall apply to the said province, with the substitution for paragraph (1) of the said section 93, of the following paragraph:—
> '(1) Nothing in any such law shall prejudicially affect any right of privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901, or with respect to religious instruction in any public or separate school as provided for in the said ordinances.'

Such a clause upsets the entire spirit of clause 93 of the British North America Act, because it substitutes in the first paragraph of the imperial enactment the words separate schools for the words denominational schools, restricting it thereby to those separate schools only that conform to the ordinances of 1901, a protection which heretofore guaranteed the existence of the denominational schools that the law rocognized.

In order to understand the nature of this exceptional legislation which was imposed on the new provinces and to seize the full scope of the crying injustice which was perpetrated upon the Catholic and the French minority of the Alberta and the Saskatchewan, we need but ask ourselves the meaning of a denominational school and that of a neutral school and then to make evident the vast difference that exists between the two.

In regard to the instruction given therein the denominational school exists when that instruction is impregnated with the religious spirit of the denomination to which it belongs. Thus we have Catholic, Anglican, Methodist, Presbyterian, &c., schools, according as the teaching therein is impregnated with a Catholic, Anglican, Methodist or Presbyterian spirit. If the instruction given in a school is entirely divorced from all religious influence, if that instruction can be indiscriminately given to all the pupils frequenting the schools, be their differences of religious belief what it may, if that instruction, from its very nature, cannot graft upon any religious belief, that school is a neutral one, in contradiction to the denominational school.

And again, a very different thing is the separate school.

Its name tells what it is: A school detached from an already existing school, a school separated from the ordinary school

of the district in which it is established; it is the school of a minority that will not or cannot accept the instruction given to the majority.

The separate school is that which faces the public school.

It need not necessarily be a denominational school.

For example, in a school district where the Catholic majority has a Catholic public school, consequently a denominational one, the school of the Protestant minority becomes a separate school which might perfectly well be, and very likely would be, a neutral school.

This is a fact that none will dispute and which the school system of the province of Quebec, moreover, most clearly illustrates. For its part, the law confirms the doctrine that I propound when, in clause 93 of the British North America Act, it mentions the powers, rights and privileges of the dissentient schools of the Queen's Protestant subjects in the province of Quebec (paragraph 2), and the rights and privileges of the Protestant minority in every province in which a separate school system obtains (paragraph 3).

In fine, the Northwest ordinances of 1901 upon which rests the school enactment of the Autonomy Law of 1905, ordain—(clause 14)—that the minority, Protestant or Catholic, of the ratepayers of every district (clause 45) may establish therein a separate school that will be subject to all the obligations imposed on public schools.

It is, therefore, more than abundantly proven that a separate is not necessarily a denominational school, and that, in Alberta and in the Saskatchewan such a school cannot even be a denominational school.

The iniquity of Sir Wilfrid Laurier's legislation, is now apparent in all its ugliness to eyes that will not lose sight of the distinction which has just been established between the denominational and the separate school.

The constitution guarantees the preservation of denominational schools in all provinces wherein such schools have had already a legal existence at the time of the entry of any of them into the confederation.

In 1875, by a special enactment, the federal parliament granted denominational schools to the Northwest Territories.

In fact the law of 1875 gave the majority in each school district the right to have whatever school it thought fit, consequently the right to denominational schools. Consequently this right given by law was safeguarded by paragraph 1 of clause 93 of the British North America Act, and the Catholic minority, wherever there was one in the school districts of the Northwest Territories, retained, guaranteed by the constitution itself, the privilege already obtained.

What did Sir Wilfrid Laurier do?

With a stroke of his pen he blotted out from the British North America Act the words denominational schools and substitutes therefor the words separate schools.

By that one stroke the Catholics of the Northwest Territories, in the districts in which they are the majority, have lost their right to denominational schools.

The minority alone, and only in the districts in which such minority exists, can henceforth have separate schools, but separate schools such as they are constituted by the ordinances of 1901, that is to say, separate schools from which religious instruction is banished.

This is what the Laurier-Sifton amendment gave to the Catholics of the Northwest.

That which our constitution guarantees in general terms to all the other provinces of the Dominion, Sir Wilfrid Laurier snatches violently from our charter and deliberately refused it to the Catholics of the new provinces.

And Catholics are found who proclaim themselves satisfied with this guilty deed of spoliation and who, in dust and humiliation, ask that we join freely in the sacrifice of their rights and in the glorification of that iniquitous piece of legislation.

We have no part in it. We wish to defend our rights, despite the unqualified blindness of those who have eyes and who will not see. Despoiled of their right to denominational schools by the culpable substitution of the words separate schools for the words denominational schools in the British North America Act, the Catho-

lics have been reduced to only what the ordinances of 1901 can give them. So ordains the Laurier-Sifton amendment. And what do those despoiling ordinances give them? We will learn it from the very lips of those who claim to have made a serious study of the question.

In 1905, Mr. Paterson, a member of the Laurier cabinet, expressed himself in the following way on this subject of separate schools:

It must be borne in mind that those separate schools are formed precisely as every school district is formed. Although the name separate school appears to convey to the minds of some people the impression that they are separate in the sense in which they are established in some other province, there is no distinction between these schools as regards organization, or the qualification of teachers, or the text-books, or the right of state inspection, or in the reports they have to make. In every respect, they are under the commissioner of education in absolutely the same manner as is every other public school in the Territories.

Precisely the same course of study that is followed in the public schools is to be followed in these schools; but when the hour of 3.30 p.m. arrives, if the trustees of the separate school desire, religious instruction may then be given to the youth therein. Is that a concession made particularly to our Roman Catholic brethren? Why, the same clauses apply to every school, Protestant, public and every other. No special right, no special permission is given the separate schools which is withheld from the other.

Mr. Crawford, the member in 1905 for Portage la Prairie, belonged to the Orange order. He was at the same time one of Sir Wilfrid Laurier's most devoted followers.

Let us open our ears to what he uttered on the 14th of April, 1905:

If this Bill goes through, it will establish not what I claim are separate schools. In fact, the name 'separate' should hardly have been used in connection with them. We propose to continue in the Northwest Territories what they have already got—Catholic public schools and Protestant public schools, no matter whether they are Catholic or Protestant, which are public schools, and which are free to all classes of children, having the same text-books, the same qualified teachers, under the same control, and that control entirely in the hands of the government, and not in any way connected with the church I feel as strongly on this question, I think, as any person in Canada at the present time. I think that possibly my Orange feelings or proclivities are just as strong as those of the hon. member for East Grey (Mr. Sproule). And if there was anything in the nature of a prejudice in connection with it, I should have it, being an Orangeman. If I thought there was being established in the Northwest Territories what the people of Ontario have in their minds to-day, that is Roman Catholic church controlled schools, I would oppose it as strenuously as any one. I would not stand it for a minute. But we have nothing of that kind. The very opposite is the condition.

The Hon. Mr. Fielding is not less explicit when he said, in discussing the law of the Alberta and the Saskatchewan, in 1905:

What is this law which we are going to confirm and to continue in the new provinces of Alberta and Saskatchewan? We are told that this provides for a system of separate schools Well, a system of separate schools may mean one thing in one quarter and another thing in another quarter. Whatever may be said as respects other countries, or other provinces, it would be utterly mistaken to say that we are giving to the Northwest provinces separate schools in that sense of the word. I submit to this House that the system of schools which we have to-day in the Northwest Territories is a national school system, and if it has all the elements of a national school system then I say there is no principle involved in the discussion which would justify us in having a quarrel over it. What is this system? The system of schools which prevails to-day in the Northwest Territories exists by virtue of chapters 29, 30 and 31 of the ordinances of the Northwest Territories. So far as the principle of separate schools is concerned, of course that principle was to be found in the Act of 1875 and the ordinances adapted themselves to it. But if you read these three ordinances of the Northwest Territories you will rise from the perusal of them with the conviction that in that country they have a system of national schools which may well challenge the admiration of the people in other portions of this country. What then, are the essential elements of national schools? I take it for granted that if you have a school which is established by the public authorities, if the management of the school derives all its authority and privileges from a regulation of the government of the state, if you have a system of schools under which the proper authorities of the state or the province, or territory as the case may be, themselves specify the school books, establish the course of study, provide for the inspection of the schools and for the distribution of the money, if you have all those elements, then, I say you have a system of state-created, state-managed and state-supported public schools. Every one of these conditions exists to-day in the public school system of the Northwest Territories.

From the hour at which these schools open in the morning up to half-past three in the afternoon; they are absolutely alike; there is no difference; the teachers have the same duties, the same qualifications; the same examinations, the same course of study, the same books are prescribed by the government the regulations are made by the government. I repeat that from the hour of opening in the morning up to half-past three in the afternoon, there is no shade of difference in all these schools in the Northwest Territories.

But why seek elsewhere, that which Sir Wilfrid Laurier, himself, explained in such clear terms in the now historic letter which he gave to the public, and in which he said to one of his friends who had consulted him on the subject:

The impression prevails that separate schools such as they are intended by the Bill will be ecclesiastical schools. This is quite an error. What you call separate schools in this instance is practically national schools. Here is the law of the Northwest Territories at the present moment. All the teachers have to pass an examination and be certified by the Board of Public Instruction; all the schools have to be examined by inspectors appointed by the Board of Public Instruction all books in use at the schools have to be approved by the Board of Public Instruction; all secular matters are under the control of the Board of Public Instruction, all tuition has to be given in the English language; at 3.30 children can be given religious instruction, according to rules made by the trustees of the schools, but attendance at this is not even compulsory.

Do you find fault with this last clause? Do you not believe that what you call 'separate schools' in this instance, is really 'national schools?'

The great objection to separate schools is that it would divide our people, but if the same education is given in what is called 'separate schools,' as in all other schools, I fail to see what objection there is to such a system.

Everybody may now see in what an inferior position the Catholics of Alberta and Saskatchewan stand, and if there is one thing which I fail to understand it is that prayer made to us and contained in the following paragraph of the resolutions adopted in Winnipeg the 13th of the present month by the convention assembled in Manitoba Hall, and which reads:

7. That this convention speaking on behalf of the Catholic laymen of Manitoba declares its willingness to accept as a solution of this vexed question a settlement along the lines of that adopted in Alberta and Saskatchewan as embodied in the Act of 1905.

Those Catholic laymen of Manitoba are merely asking for a stone in place of bread. They are willing to sacrifice their rights to denominational schools for that kind of separate schools which Sir Wilfrid Laurier implanted in the new provinces, and which to all intents and purposes are strictly neutral, non-sectarian and condemned by the head of the church and by the Catholic consciences.

Hon. Mr. LANDRY.

Such a demand introduced in the resolutions adopted by the Catholic laymen of Manitoba is merely clap-trap, and must have been framed by some astute politician desiring blind approval of the nefarious settlement made by the Laurier government of the school question in the new provinces of the Northwest Territories.

It can not and it should not be put forward in the settlement of the actual difficulties which surround the question now submitted to our deliberations.

What is the present question?

In 1908, the 13th day of July,

Sir Wilfrid Laurier moved, seconded by Mr. Fielding, that whereas petitions have been presented to the government and to this House (of Commons) from the legislative assembly of Manitoba, praying for an extension of the boundaries of the said province, northward and eastward, and for an additional subsidy to the said province, in lieu of the ownership of public lands in the territory to be so added.

Be it resolved:—

That it is evident that the prayers of said petitions should be acceded to and that upon such terms and conditions as may be agreed to by the said legislative assembly and by parliament, the boundaries of Manitoba be extended as follows, &c.

The Bill now before us is the sequence of the petition coming from the legislative assembly of Manitoba, praying for an extension of the boundaries of the said province, and of the resolutions adopted by the House of Commons on the 13th of July, 1908.

It is the province of Manitoba who is the petitioner, by the mouth of its legislative assembly.

Is not the first thing which we should consider before granting Manitoba what Manitoba asks, to ascertain what is the actual standing of that small province in the face of the Dominion of Canada?

If my memory serves me right, some years ago serious difficulties occurred in that province because the sacred rights of a Catholic minority had been trampled upon by an implacable majority. The case had been referred to the Judiciary Committee of the Privy Council in England, and that tribunal, the highest in the British Empire, had ordered the Dominion government to take up the matter and to settle it according to the enactments of our con-

situtional law. Canada and Manitoba came into collision. With what effect, the official documents will answer.

Let us, in the first place, see what was the judgment given by the Lords of the Judiciary Committee of the Privy Council.

That judgment has been commented upon by Sir Wilfrid Laurier a few days ago in such a sophistic manner that it is necessary to give here the words of the finding of their Lordships.

One must not forget—as Sir Wilfrid Laurier so wilfully has done—that what was before the Privy Council in the case of Brophy was not a demand to restore to the Catholic minority of Manitoba their separate schools as they existed prior to the provincial legislation of 1890, but what was before the Privy Council was a series of questions respecting the legal interpretation to be given to the Manitoba Constitutional Act, and the authorized definition of the powers vested in the federal government acting as the tribunal selected to settle the grievances of the minority. It is in that light, completely but wilfully ignored by Sir Wilfrid Laurier, that we must read the findings of the Privy Council.

I quote from pages 11, 12 and 15 of the Sessional Document No. 20 of Vol. xxviii of the Sessional Papers:

> Contrast the position of the Roman Catholics prior and subsequent to the Acts from which they appeal. Before these passed into law there existed denominational schools, of which the control and management were in the hands of Roman Catholics, who could select the books to be used and determine the character of the religious teaching. These schools received their proportionate share of the money contributed for schools purposes out of the general taxation of the province, and the money raised for these purposes by local assessment was, so far as it fell upon Catholics, applied only towards the support of Catholic schools. What is the position of the Roman Catholic minority under the Act of 1890? Schools of their own denomination conduoted according to their views, will receive no aid from the state. They must depend entirely for their support upon the contributions of the Roman Catholic community, while the taxes out of which the state aid is granted to the schools provided for by the statute fall alike on Catholics and Protestants. Moreover, while the Catholic inhabitants remain liable to local assessment for school purposes, the proceeds of that assessment are no longer destined to any extent for the support of the Catholic schools, but afford the means of maintaining schools which they regard as no more suitable for the education of Catholic children than if they were distinctively Protestant in their character.

And further on the judges of the Privy Council added the following important words, to which, hon. gentlemen, I cannot too strongly claim your attention, conclusive as they are in regard to the position I maintain:

> As a matter of fact, the objection of Roman Catholics to schools such as alone receive state aid under the Act of 1890, is conscientious and deeply rooted. If this had not been so, if there had been a system of public education acceptable to Catholics and Protestants alike, the elaborate enactments which have been the subject of so much controversy and consideration would have been unnecessary. It is notorious that there were acute differences of opinion between Catholics and Protestants on the education question prior to 1870. This is recognized and is emphasized in almost every line of those enactments. There is no doubt either what the points of differences were, and it is in the light of these that the 22nd section of the Manitoba Act of 1870, which was in truth a parliamentary compact, must be read.

Those findings of the Lords of the judicial committee were followed by an imperial order in council which said:

> 'Her Majesty having taken the said report into consideration was pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that the recommendations and directions therein contained be punctually obeyed and carried into effect in each and every particular, whereof the Governor General of the Dominion of Canada for the time being, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.'

This judgment of the Privy Council was followed in 1895 by the Remedial Order which Sir Wilfrid Laurier summarized in the following words (Debates of the House of Commons, March 12, 1912, page 4992):

> Three things are necessary to constitute separate schools; first of all, separate organizations; second, exemption from taxation for public schools, and in the third place, an adequate share of the provincial funds allotted for education.

These things were alluded to in the Remedial Order of the previous government. The government of Manitoba was ordered to enact a law which would give back to the minority:

> (a) The right to build, maintain, equip, manage conduct and support Roman Catholic schools in the manner provided by the said statutes which were repealed by the two Acts of 1890 aforesaid.
>
> (b) The right to share proportionately in any grant made out of the public funds for the purposes of education.
>
> (c) The right of exemption of such Roman Catholics as contribute to Roman Catholic

schools from all payment or contribution to the support of any other schools.

The great mistake which was made by the government of Sir Mackenzie Bowell in that Remedial Order was that they were ordering the province of Manitoba to do more than they who had passed the Order could enforce. If the province of Manitoba refused to comply with the Order, they could very well have passed a Bill, which would exempt Catholics and the minority from paying taxes to the public schools; they could very well have passed an Act giving the right to the minority to organize their own schools, but they could not by any Act of legislation or by order in council, or in any manner whatever, give away the funds of the province of Manitotba to the separate schools. And in this they made a fatal mistake; they introduced a Bill and, just as we had anticipated, while the Bill authorized the legisalture to pass a Separate School Act, to exempt from taxation the supporters of separate schools, they could not give to the schools any share in the public money and therefore, if the Remedial Bill had become a remedial law, the schools which might have been organized could not have received any funds out of the public treasury; they would be at once placed in a position of inferiority and therefore the settlement could not be satisfactory to the minority.

Such was the contention of Sir Wilfrid Laurier, and I heard some day or two ago my hon. friend from De Salaberry (Hon. Mr. Béique) affirm the same doctrine.

But, as usual, whenever he finds it convenient, Sir Wilfrid has forgotten, and very cheerfully forgotten, what is known as the Dupont amendment, an amendment which the member for Bagot had given notice to the House of Commons, the purport of which was precisely to meet the case of a refusal on the part of the legislature of Manitoba to contribute the proper funds for the maintenance of the Catholic separate schools.

That amendment read as follows:

Add the following to the 74th section:

'If the legislature of Manitoba does not annually grant such appropriation to separate schools, the Governor General in Council shall, from the net revenue accruing from the school fund, realized from the sale of the school lands in Manitoba and attributed for the support of schools and the maintenance of education in Manitoba, grant any pay to the Board of Education in each year during which such appropriation is not made to the separate schools, a proportionate sum to that voted or granted by the legislature of Manitoba, to public schools, or for educational purposes, and the 'Act respecting public lands,' Cap. 54 of the Rev. Stats. of Canada, is hereby amended accordingly.'

As stated by the Dupont's amendment and by the declarations of Sir Charles Tupper that he was prepared to submit it to the approbation of the Commons, the parliament of Canada had at its disposal the necessary funds to subsidize the separate schools without imposing such an obligation upon the provincial legislature of Manitoba, and in the face of such declarations, everybody will admit that the so-called formidable objection of Sir Wilfrid Laurier against the Remedial Order has no weight whatsoever.

At all events, Sir Wilfrid Laurier came into power and he made a settlement with the province of Manitoba. On what grounds? He will tell us himself:

The policy I have advocated ever since I have entered public life, said he on the 12th March (page 4987 of the Commons' debates), the policy upon which I fought the elections of 1896, is that all such clashings of interests, whenever and wherever they occur, must be settled and can be settled only through compromise, through conciliation, and through appeal to all interested parties to make some sacrifices of opinion, and even pretension, yes, and even of rights, in order to come to an understanding of peace, good-will and harmony in this land. I was elected on that platform, and upon that platform I stood so long as I was in office, not only upon this question of education, which came forward on more than one occasion, during the term of office of the late administration, but even on all similar matters in which their was a clashing of interests.

Let us see now to what kind of conciliation Sir Wilfrid Laurier had recourse in the settlement of the Manitoba school question.

There were two litigating parties in that difficulty: the legislature of Manitoba on one side and the Catholic minority of that province on the other side. The executive of the Dominion having been by the constitutional Act of Manitoba designated as a judge in such a case, and the legislature of Manitoba having peremptorily refused to accept the findings of the judgment rendered by the Remedial Order, nobody would have ever dreamt that a settlement of any kind could be arrived at by a monstrous agreement made between the judge in the case and one of the litigants.

And this is audaciously called a compromise.

It is nothing else than a robbery.

When have the Catholic minority been

made a party to such an agreement? It was made behind their back, against their sacred rights.

Conciliation? Never. Spoliation and robbery, it was never anything else.

And politicians are found to proclaim that such a spoliation as for ever brought the final settlement of the Manitoba school difficulty. The Catholic minority of Manitoba has a judgment rendered in its favour and so long as the judgment has not been satisfied, so long as the minority has not been put in possession of the rights guaranteed by the constitution and which still remain guaranteed by that same constitution, no agreement whatsoever made with one of the litigants, outside of the other and against it, can be called an agreement or a final settlement.

When the interested parties can not agree after a judgment has been rendered what name could be given to the man who ignoring altogether the judgment and the law would intervene without authority to crush the winning party? Force may prevail and crush the rights of a minority under the weight of its might, but for God's sake, do not prostitute the language you may use in giving to that crying injustice the sacred name of conciliation and compromise.

As long as justice will not be meted out to the minority according to the Remedial Order given in 1895, nothing is settled, and nothing can be settled by compromise or conciliation without the agreement of the suffering minority.

The Remedial Order of 1895 has not yet been complied with and Manitoba to-day as in the past is still defying the constitution and trampling upon the rights of the Catholic minority.

We know now in what position stands exactly Manitoba when that province comes to us and asks us an extension of territory.

Have we not the right to tell Manitoba: We will give you what you are asking as soon as you will restore to the Catholic minority of your province the rights of which they have been deprived by your legislation? That right we have and no one could be surprised if we thought fit to exercise it.

But we do not go so far.

What we ask to-day is simply this:

We contend that the Catholic majority or minority of the territory which is proposed to be annexed to Manitoba have educational rights; those rights should be secured by the Bill now submitted to our deliberations.

Are we to be refused such a modest and conditional request?

Are we to be told, without any discussion, by a simple affirmative.

1st. That the Catholics of Keewatin have no educational rights, because Keewatin does not belong to the Northwest Territories and consequently can not come under the laws which obtain in the Territories.

2nd. That even the laws which govern the Northwest Territories can not give any educational right because the necessary machinery to put those laws in operation has not yet been created.

3rd. That by the British North America Act of 1871, which empowers the Dominion parliament to extend the boundaries of provinces, you cannot force upon a province already constituted as such, any change in its constitution.

Such are at the present moment, the three objections which certain ministers of the Crown formulate against our demands.

I will answer them in a few words. The first objection is based on the contention that the minority of the proposed annexed territory has no educational rights, because the Keewatin district having been set apart in 1876, before the coming into force of the federal legislation, which governed the Northwest Territories, such legislation could not and did not, give to the inhabitants of said districts the educational rights which enjoyed the population of the territories.

But one must not forget that outside the Keewatin district as created by the statute of 1896, there was at the west and at the north of Manitoba, a vast strip of lands, belonging to the Northwest Territories. The settlement of Le Pas for example, was in that region which did not form part of the Keewatin district, and the objection

raised could not, in any way, apply to that part of the country.

And even if it did apply, nobody could now ignore, who has studied this question or followed the debate that took place, that such an objection as was raised by two ministers of the Crown, has been conclusively answered by the Prime Minister himself, when he said on the 6th of March, 1912:

Let me say that the Revised Statutes of Canada, 1906, were proclaimed and came into force on the 31st day of Janaury, 1907, I pass by the question alluded to by my hon. friend the Minister of Public Works and will simply allude to the fact that in July, 1905, an order in council was made by the late administration which, in so far as I have said, was entirely beyond their powers, inasmuch as it exceeded the authority that the statute had bestowed upon it. However, when the Revised Statutes were placed before this House in the following session that order in council was made good in terms by the Revised Statutes, and these statutes are undoubtedly the law of the land to-day. By section 2, subsection (a) of the statute to which I refer, the Northwest Territories included all the territories formerly known as Rupert's Land and the Northwest Territories except such portions thereof as formed the provinces of Manitoba, Saskatchewan, Alberta and the Yukon Territory.

It is, therefore, plain that Keewatin is included in the expression 'Northwest Territories' as used in this statute, and we must look to its provisions to see what right may exist in any body or community of people with respect to eduactional matters in these territories. This statute was in force from the 31st of January, 1907, until the present administration came into power on the 10th of October, 1911. Now, what was necessary for the purpose of carrying into effect the educational provisions which had for some years previously been existent in the Northwest Territories. In the first place, by section 6 of the statute:

The Governor in Council may from time to time constitute and appoint such and so many persons, not exceeding four in number, as are deemed desirable to be a council to aid the commissioner in the administration of the territories; and a majority of the council, including the commissioner—shall form a quorum.

Section 10 reads:

The Commissioner in Council, if authorized to make ordinances respecting education, shall pass all necesasry ordinances in respect thereto; but in the laws or ordinances relating to education it shall always be provided that a majority of the ratepayers of any district or portion of the territories, or of any less portion or subdivision thereof, by whatever names the same is known, may establish such schools therein as they think fit, and make the necessary assessment and collection of rates therefor; and also that the minority of the ratepayers therein; whether Protestant or Roman Catholic, may establish separate schools therein, and in such case, the ratepayers establishing such Protestant or Roman Catholic separate schools shall be liable only to assessments of such rates as they impose upon themselves in respect thereof.

Now, there were two things necessary before that legislation should become operative. In the first place: that the government of this country should appoint a council of four, to assist the commissioner. From the 31st of January, 1907, up to the tenth of October, 1911, no such step had been taken by the administration which preceded us. The next thing necessary was that the Commissioner in Council should be authorized to make ordinances respecting education, and, from the 31st January, 1907, up to the time we came into power, no such step was ever taken by the administration which preceded us. Consequently, it follows directly from that, that during the period which intervened between the 31st of January, 1907, when this law come into force and the time this government came into power, no steps, preliminary or otherwise, had been taken by the Liberal administration for the purpose of making operative in the Northwest Territories, in Keewatin, the provisions I have read with regard to separate schools.

This quotation of the speech delivered by the hon. the Prime Minister victoriously disposes of the first objection and brings into full light the second one, which is made perfectly clear by the following utterances of the Prime Minister:

So far as these statutory provisions respecting separate schools in the Northwest are concerned, they were absolutely non-existent, for the reason, in the first place that no members of the Council had been appointed so as to create a body known as the Commissioner's Council, and in the next place, because the commisison had not been authorized—even though councillors would have been appointed —to make any laws or ordinances whatsoever with respect to the establishment of schools in these territories.

In a most elaborate study of this question the Minister of Justice has sustained the same idea and endeavoured to make good that on that special ground the minority of the proposed annexed territory has no educational right whatsoever.

But the advocates of such a contention have entirely forgotten that under the pact of 1870 which took place between the government of this Dominion and the people of the whole Northwest Territories represented by their delegates 'all the civil and religious rights and privileges

of that people were promised to be respected. Surely such a promise, made in the name of the Crown, should be carried through. At all events one would expect that the honour of the Crown will be maintained intact by those who are now its constitutional advisers, and that whatsoever may be the fate of this Bill, the rulers of this country will see that royal promises will be kept to their full extent.

And it is not only in that compact of 1870 that the honour of the Crown is engaged. We, the French and the Catholic people of this country, have rights that were given to us the day the French flag left us under the British Standard, rights guaranteed to us by the treaty of Utrecht and the treaty of Paris, and it is in the name of those two treaties that I claim for the pioneers of the Northwest and their worthy sons all their civil and religious rights.

My second answer to that second objection is that the exercise of a right is quite a different thing to the right itself. My hon. friend from Ottawa (Hon. Mr. Belcourt) has developed that idea in a very clear way. May I add that it does not become to those who endeavour to prevent the operation of the law to invoke against the rights of the minority the inaction of their own machinery.

The minority, or rather the people of the Keewatin district, have at different times petitioned the former and the present government asking, to put into movement the machinery that would allow them to have the school authorized by the laws of the land.

Here is the petition presented on the 30th November last:

To H. R. H. the Governor General in Council.

May it please Your Highness,—

The humble petition of the undersigned, resident ratepayers of Le Pas, District Keewatin, N.W.T., ask that His Majesty's government will be pleased:—

I. To create (Under provisions made in Revised Statutes of Canada, 1906, chap. 62, cl. 6, in the Northwest Territories, a council destined to aid the commissioner of the said territories in the performance of his duties.

II. To grant to the said commissioner in council (in virtue of chap. 62, cl. 10 as above), authority to make ordinances respecting education.

III. To establish, or cause to be established by the said commissioner in council (in virtue of chap. 62 as above) a school district at Le Pas, limited to the defined area of 500 acres forming the Le Pas townsite.

IV. To declare, or cause to be declared by ordinance (in virtue of chap. 62, cl. 10 as above), that the majority of ratepayers of the said school district may establish such schools therein as they think fit, and make the necessary assessment and collection of rates therefor.

V. That the minority of the ratepayers therein may (in virtue of the same clause), establish separate schools therein; the ratepayers establishing such separate schools shall be liable only to assessments of such rates as they impose upon themselves in respect thereof.

And your petitioners will ever pray.

JOSEPH SMITH.
ARTHUR LAROSE, M.D.,
MASTAI POIRIER,

November 30, 1911.

What is now the third objection. It has been said that by the British North America Act, 1871, we have no right to impose upon a province any change in its constitution. That may be true, but I will read you clause 3 of that Act, which says:

The parliament of Canada, may from time to time with the consent of the legislature of any province of the said Dominion decrease, diminish or otherwise alter the limits of such province, upon such terms and conditions as may be agreed to by the said legislature and may with the like consent, make provision respecting the effect and operation of any such decrease or diminution of alteration of territory in relation to any province affected thereby.

We see by this law that the government has the power to make a contract with the province of Manitoba. They cannot impose on that province a new system of schools, or a change in their constitution, but they are at liberty to ask the province to agree with them to accept such changes in the constitution, and if the provinces decline, the government is at liberty to refuse to make any arrangement with the province. It is a contract between the federal government on one side, and the legislature on the other. It thus answers the argument about imposing a new order of things. We do not want to impose anything but if the people of Manitoba want an extension of boundaries let them come to us with conditions that all will accept.

Hon. Mr. CHOQUETTE—Do I understand the hon. gentleman to say that the

Prime Minister has admitted that Catholics had rights to education in the Keewatin district?

Hon. Mr. LANDRY—No, I thought that he had refused them the rights. He admitted that Keewatin was in the Territories.

Hon. Mr. CHOQUETTE—And they admitted that they should have rights after the council had been formed—they would have the right then?

Hon. Mr. LANDRY—Oh yes, but he says that since 1908 there was a resolution that had been passed by the House of Commons extending the boundaries of Manitoba and Quebec and Ontario, and the effect of that resolution being adopted by the Commons, was that he did not think it advisable to put the law into operation, because, as a matter of fact, that country in a few days or weeks would become Greater Manitoba.

Hon. Mr. CHOQUETTE—Some of his colleagues were not of the same opinion.

Hon. Mr. LANDRY—I don't know; I am not a member of the cabinet.

Hon. Mr. CHOQUETTE—They said so publicly—they contradicted themselves in the House. The Postmaster General and the Minister of Public Works said the contrary.

Hon. Mr. LANDRY (Speaker)—I don't know; where did they say the contrary?

Hon. Mr. CHOQUETTE—In the other House.

Hon. Mr. LANDRY (Speaker)—I know what they said about Keewatin, but they were contradicted by the Prime Minister himself.

Hon. Mr. CHOQUETTE—That is what I said. But they ought to have resigned if they did not agree.

Hon. Mr. LANDRY (Speaker)—May I be allowed to sum up the whole case in a few words.

The confederation was a compact entered into in 1867, and in such a compact, the rights of the minorities were secured.

The Manitoba Act was also the result of a compact to which the Dominion government and the people of the Northwest Territories were parties. So was the federal legislation of 1875.

In all those compacts treaties in all federal or imperial legislation, the school rights of the minorities were always the object of special enactments, made to secure their existence for ever.

At one time Manitoba violated one of those solemn and binding treaties.

A case was made which from court to court reached the judicial committee of the Privy Council, and an order was given to the Manitoba legislature to remedy the injustice it had committed.

That Remedial Order was signified to the Manitoba legislature, which deliberately, up to this date, has refused to comply with it.

On the other hand that same province, which is still in a state of rebellion against the Dominion is to-day, asking the Canadian parliament for an extension of boundaries.

The territory to be annexed is actually governed by the laws of the Dominion and its population, under such laws, claim that it has a right to denominational and separate schools.

Those rights are denied by certain ministers who contend that the Dominion laws do not apply to the proposed annexed territory, and should they apply, that the proper machinery to render them operative has never existed and, finally, that by the British North America Act, 1871, no change whatsoever could be made in the constitution of Manitoba.

We have established beyond a doubt, that the federal laws govern the proposed annexed territory, that it is not in the power of those who refuse to put the laws in operation to invoke their own faults against the existence of a right and that, under the operation of the British North America Act, 1871, the Dominion has the undisputed power to grant any extension of boundaries subject to the conditions that may be agreed by the two interested parties.

The Dominion parliament has hence the power to grant the extension of boundaries on condition, on the most acceptable

condition that, if annexed, the rights of the people in the proposed annexed territory be safeguarded.

Putting aside the contention that the people of the proposed annexed territory have, or have not the rights they claim for and leaving to them alone to debate that question in the proper way, and to obtain from the proper tribunal a final decision, our duty, at all events, is to support the proposition set forth in the proposed amendment, and to safeguard conditionally at least, the rights that may exist.

Placing the question on those grounds, I believe it my imperative duty to vote for the present amendment.

Hon. Mr. DANDURAND—I do not intend to detain you very long, and as I am reaching a contrary conclusion to the one to which the hon. the Speaker has arrived, I want to say a few words.

Three provinces are in quest of their hinterland—Quebec, Ontario, and Manitoba. The territories which are to be divided among those provinces are practically vacant and unorganized. If there were no anterior legislation whatever concerning those lands it is self-evident that no sane man would rise to ask that special conditions be imposed on the annexing provinces which would set up in one province two different sets of laws—fiscal or educational. Such a demand would be too preposterous. A province—once created—is supreme within its boundaries, and any unorganized territory which is added to it must naturally fall under its system of laws. This is the natural order of things.

When there was a question of the territory of Ungava being added to the province of Quebec it did not occur to me for one instant that the set of laws enacted to date by the provincial legislature would not extend automatically to that new territory by the same Act which sanctioned the annexation. Likewise for Ontario and likewise for Manitoba.

But it is urged that some legislation affects that part of Keewatin which should be respected by Manitoba, and which should be made a condition to be imposed as a servitude upon that territory. What is that legislation? It is to be found in the Acts of this parliament passed in 1875 and 1876.

The Act of 1876 has been the only law affecting the Keewatin district between that year and 1905 or 1907, and under it, during that time the minority had no right to separate schools.

At the outset I may say that without examining minutely into every Act passed by the Federal parliament it can be plainly shown that since confederation our whole legislation goes to establish that the Dominion parliament has always had the intention and desire of granting the minorities in the Northwest Territories the rights of separate schools, and that if the proper authority had been constituted in Keewatin in 1905 or 1907 the minority would have been entitled to its own schools. This right would be based on the supposition that Keewatin had been regularly joined to the Northwest Territories in 1905 by proclamation of the Governor in Council. If it was not regularly re-annexed in 1905, it certainly was made a part of the Northwest Territories by the Revised Statutes of 1906 which came into force the 30th of January, 1907.

It is admitted on all sides that no separate schools have been to this day regularly opened in the Keewatin district. If the minority has a right to separate schools it is a right in posse only.

The federal authority which rules supreme over Keewatin has not deemed opportune to give effect to the laws now in existence to organize that territory, and no individual has to this date enjoyed any privilege flowing from this source.

This parliament has the power to change those laws. It has created them and it has stated when they would become operative. Before being put into force parliament decides that this territory shall not be organized as a separate unit under the existing laws made for the temporary government of the Northwest Territories but shall be annexed to the province of Manitoba.

It is objected that there may be—that there are—a few dozens of men who went into the Keewatin district since 1905 when that country was reannexed to the Northwest Territories who have acquired an

absolute right to the enjoyment of the privileges granted to the minorities by the Act of 1875.

Between 1876 and 1905 the territory under discussion was governed by a special Act, that of 1876, which contained no enactment in favour of separate schools. The authors of that Act stated clearly why no such enactment was made. MacKenzie and Blake explained that Keewatin would temporarily be administered by the Governor of Manitoba, without the help of a council pending the delimitation of the Ontario boundaries.

Hon. Mr. Mackenzie moved for leave to introduce a Bill respecting the Northwest Territory, and to create a separate territory out of part thereof.

He said—We find that there is likely to be a good deal of inconvenience from the Northwest Territories, including all that portion of our country east of Manitoba and west of the boundary of Ontario. The province of Manitoba wishes to increase its boundaries northward, westward and eastward; but until the question is decided as to where the limits of Ontario may ultimately be fixed, it is impossible to take any steps towards enlarging the boundaries of that province without the risk of having it reconsidered, probably, at the very next session. I have thought it advisable on the whole, to detach a portion of country immediately north and east of Manitoba from the Northwest Territories proper and to have its affairs administered by the Governor of Manitoba without the intervention of any council and without incurring any expense whatever.

The Hon. Mr. Blake in answer to a question by Hon. Rodrigue Masson explained more fully the object of the Bill but on the same lines as Mr. Mackenzie: (p. 194 of Hansard of 1876).

Hon. Mr. BLAKE—The Act of last session has not yet been put in force. At present all the territories of the Northwest are governed from Manitoba. The Act of last session proposed, and I think rightly proposed, a system which gave rudimentary representative institutions, coincidently with its going into effect. The Bill of this session takes off a very small portion of the enormous territories of the Northwest for the particular purpose which my hon. friend the premier clearly explained. He pointed out in the present condition of that country, with its comparatively limited means of access, with its vast unsettled plains, and with a portion of the territory lying partly east of Manitoba, that it was advisable as a mere temporary measure to adopt this system of government in that country for a short time. He pointed out as soon as the boundary of Ontario and the Northwest Territory was settled the question would immediately arise whether a portion of the territory for present purposes annexed to Manitoba would belong to that province. If not annexed to Manitoba it would be under the jurisdiction of the government at Fort Pelly. If this territory is annexed to Manitoba the laws of that province relating to schools will apply to it. If reannexed through the Northwest Territories, clause 11 of the Act of last session will apply, but this cannot be done without at the same time conferring powers of taxation, and no such powers can be exercised without representative institutions.

It is clearly an erroneous statement to make that the people inhabiting the Keewatin district between 1876 and 1905 could claim any rights or privileges other than those contained in the Act of 1876 which was the only law governing them, and in that Act nothing is prescribed in favour of minorities on matters of education or otherwise.

The people who went to that part of our country before 1905 did not go there with the assurance that they would be governed by Northwest Territory ordinances or by the Manitoba law, but all indications pointed to Manitoba as being the province to which they would have to look to for their legislation.

Since 1907 no intelligent being could suppose for one moment that this part of Keewatin, now under discussion, was not to be—without any great delay—a part of Manitoba. I do not know if a single individual entered that territory since 1907. If a few dozens did enter they went there with the full knowledge that that country was as yet unorganized, and was shortly destined to be added to Manitoba.

I will not discuss at length the question formulated elsewhere: that the reannexation of the Keewatin district to the Northwest Territories has had for effect to extend to it the school ordinances of 1901. The Minister of Justice answers in the negative, and the Catholic minority in that territory holds the view that those ordinances have not yet come into operation since it has applied to the federal government for the appointment of a council which would allow them separate schools. This goes to show that those ordinances were not carried into effect in Keewatin. They were not applied. We are dealing with an unorganized territory which was temporarily reannexed to the Northwest Territories, which remained unorganized to this day pending its annexa-

tion to Manitoba. It has been conceded by all that that part of Keewatin was destined to be the property of Manitoba and as far back as 1876, Mr. Blake stated that if it were annexed to that province it would be governed by the laws of that province. Conditions of fact and of law would need to be very different than I find them here to justify me in attempting to force upon a province—in one part of its territory—a set of laws which would be at variance with its own system of laws freely voted by its own legislature.

It is urged that this territory is the property of the Dominion and that we can impose any condition we please when giving it away. This is verily true but true as well is the fact that the province can refuse to accept the gift.

Hon. Mr. BELCOURT—Where is the compulsion on this parliament constitutionally, legally or otherwise to annex this territory to Manitoba.

Mr. CLORAN—Hear, hear.

Hon. Mr. BELCOURT—My hon. friend talks about it automatically falling on the province. There is no such thing as that. It is all nonsense.

Hon. Mr. DANDURAND—I will answer my hon. friend that there is no compulsion on the part of the Dominion to give away that part of the territory to Manitoba but he will admit the principle that whatever conditions we may impose on the gift of a piece of territory to a province can be rejected by that province.

Hon. Mr. BELCOURT—Certainly.

Hon. Mr. DANDURAND — Then what next.

Hon. Mr. BELCOURT—They will have to wait until they are ready to accept the conditions.

Hon. Mr. DANDURAND—Where would the imposition of such a condition as the one suggested land us? Into an agitation where passions would be roused and inflamed, when animosities would be stirred and the most bitter because they would spring from religious prejudices and fanaticism. I ask it: is a minority likely to impose its views under such circumstances to a majority? It would be folly to attempt it and even to think of it.

Hon. Mr. CHOQUETTE—Why would it be bad for the minority? The minority are asking for their rights; it would be bad for the Dominion if we were to be dictated to by the majority.

Hon. Mr. DANDURAND—I will recall to my hon. friend the fact that we know exactly where the majority in Manitoba stands when you want to coerce it. The majority will accept in a conciliatory way to-day things which it will not do if it is driven or if it is forced.

Hon. Mr. CHOQUETTE—Keep Keewatin for the Dominion.

Hon. Mr. DANDURAND—If such a policy were adopted the provincial government would dissolve the House and sweep the province with the cry of no coercion and hands off Manitoba.

This appeal was made by the Roblin government in 1905 and up to this date quite successfully in a much milder form than it would be made if this parliament proceeded to impose such conditions as are suggested.

Every one is familiar with the onslaught of Hon. Robert Rogers against the late government because the papal delegate, Mgr. Sbaretti, had had a private conversation with Hon. Mr. Campbell over the question of separate schools. This little incident helped materially the Roblin government to carry a by-election in the riding of Mountain and has been considerably used and abused ever since, in that province.

To reach the end we all aim at, to remove whatever grievance the Catholic minority actually suffers in Manitoba it is my sincere opinion that the only effective means to be adopted is by a direct appeal of the Catholics of that province to its legislature. Men will listen to reason if properly appealed to while they will resist any interference which may come from outside.

This country cannot be governed otherwise than in a spirit of conciliation and of compromise.

Tolerance is a word which is disliked by many. Autocratic governments—secular and religious—hate that expression. Toler-

ance means a limitation to absolutism and the men who are clothed with omnipotent powers come to think that their tyranny is a blessing for humanity. Majorities are often imbued with the same notions and tyranny often exists under democratic forms of government.

It is a very shortsighted policy because majorities provoke reprisals the day it becomes in its turn a minority. Intolerance —lay or clerical—soon becomes intolerable and the day fatally comes when it is no more tolerated. This is the invariable experience which history teaches us which despotism under all forms has never profited by. Tolerance and conciliation should be the gospel preached in and out of season by all public men as the only solution to our religious or racial difficulties.

The Laurier government did considerably towards relieving the Manitoba minority of most of its disabilities because they approached the Greenway government in a proper spirit. It behooves the present administration, which is politically in sympathy with the Roblin government to obtain complete satisfaction for that minority. It is their duty to work towards that end and the hon. the Minister of the Interior, the Hon. Mr. Rogers, can certainly restore peace and harmony in his province if he will devote his energies towards that goal. His influence is paramount in Manitoba.

No amendment to this Bill will avail in the least to the minority. I hesitated somewhat before voting for the amendment of the hon. gentleman from Grenville, because I felt that it would divide this House on lines which would not be conducive to the betterment of the situation of the minority in Keewatin and in Manitoba. I voted for it because it expressed a desire for a discussion with the Manitoba government leading toward a conciliatory settlement. My misgivings have proved to be well founded. No good will come from such a move and considerable harm may follow. For these reasons I have come to the conclusion not to support any amendment which would impose conditions on Manitoba—amendments which it is apparent will not rally the majority in either Chamber, which if voted would not be accepted by the province, and which would hamper a proper settlement by way of conciliatory methods.

This amendment would, if embodied in this Act, grant nothing to the minority of Keewatin which has to-day no constitutional rights to separate schools. It has the law of 1875 enacted by this parliament which this same parliament can repeal, and which it is now in effect repealing by annexing this territory to Manitoba, whose laws will automatically extend it.

His Honour the Speaker, has expressed his abhorrence of the Acts constituting Alberta and Saskatchewan into provinces. He is more Catholic than the Pope since he has the well-known opinion of His Grace, Bishop Legal, who declared himself quite satisfied with the school privileges which are contained in those Acts in favour of the minority. And it is the welcomed revenge or justification of Sir Wilfrid Laurier to hear the Catholics of Manitoba asking for themselves the advantages which their co-religionists enjoy in those western provinces. Sir Wilfrid Laurier's government has done much for the Manitoba minority. We rely upon the influence of the Borden government to obtain full satisfaction from its political ally, Mr Roblin.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. COSTIGAN—The hon. gentleman who has just taken his seat has spoken very strongly on this question, and against the amendment I had the honour to move. He points out what I would be very sorry to accept. I never was an extremist; I would not advocate extreme measures under any circumstances. The hon. gentleman is a very strong advocate of conciliation. I think that I am just as strong as he is for conciliation; but I would call his attention and that of the hon. gentlemen of this House to this fact, that sometimes conciliation is not a remedy at all. Do not many of our friends here remember that the Manitoba legislature, on a certain occasion, wanted to abolish its upper chamber, for economical reasons as it was then stated. At that time the minority in Manitoba had fair representation there. They objected for a time, and said: 'No, if we consent to

abolish this Chamber, which is the only protection we have to maintain our rights, we will be at the mercy of the majority. Then this beautiful spirit of conciliation comes in, of which we have never seen a standing proof except in the province of Quebec, which I have already quoted. They persuaded the majority of the legislative council to vote themselves out of power on the ground that they would be always treated justly and their rights respected as fully, if not more fully, than their compatriots respected the rights of the minority in the province of Quebec. Have they kept that promise? No, they have not. I should have referred to the resolutions passed at that mass meeting in Winnipeg, which were sent to every member of this House. I have no doubt that they were guided by the remembrance of that case where conciliation would have done so much. The question was put by the hon. member from Ottawa, I think, and no answer given satisfactory to my mind: 'What obligation is this parliament under to annex any portion of Keewatin to Manitoba'? I have not yet heard any obligation that binds this parliament to annex a single acre of that territory to the province of Manitoba. There is a chance for conciliation if the province of Manitoba wants to acquire additional territory, of access to the ports of Hudson bay, to which they seem to attach great importance. It might be a fair question of conciliation and compromise to say: 'We are prepared to give you that, but are you prepared to recognize the rights of a little minority that you have in your province and give them certain concessions also?'

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. COSTIGAN—I do not say that you should exact the pound of flesh; make a compromise but a decent compromise; that is all we want. One of the resolutions already referred to declares that the people at that meeting assembled, representing all parts of the province, and the territories also, pledged themselves to be perfectly satisfied with a settlement on the lines arranged with Saskatchewan and Alberta with regard to that question. Now, that is not the pound of flesh. It is just a question of fair compromise. My hon. friend who made such an appeal against the amendment has simply done this—he has relieved the government from the obligation which falls upon them as far as he can do so; but they cannot be relieved of that obligation. They are handing over a large slice of territory to the province of Manitoba and getting clear of the obligation that is on their shoulders now, but will be on their shoulders no longer after they get clear of this territory. While it remains a portion of the Dominion territory the obligation rests with this parliament; once it passes into the province of Manitoba, the legislative powers will belong to the provincial legislature of that provnce, I am satisfied of that. But before it passes there, why in the name of goodness could not the government say 'we do not want to impose extraordinary conditions; we do not want to coerce the province of Manitoba; we do not want to take you by the throat; but be generous as others are generous in this country, and have given evidence of their generosity; be fair-minded; be broad-minded, because this is a big country, and you have got to live on terms of friendly feeling with your neighbours, no matter what creed or nationality they are.'

Hon. Mr. CLORAN—That is the right kind of conciliation.

Hon. Mr. COSTIGAN—There is that conciliation and I believe in that conciliation. We must all be Canadians, but we should all be treated as Canadians. A minority has no right to buck against a majority, for they will always get the worst of it; but the best citizenship in this country is made up of men, Protestant and Catholic, or whatever church they may belong to, and the better they live up to the requirements of their church the better citizens they are. A man who has not a warm corner in his memory for the land of his forefathers will make a very poor Canadian. There is nothing inconsistent between the love of the land of your forefathers and loyalty to the land of your adoption. I trust the amendment will carry.

Hon. Mr. DANDURAND—Referring to the Speaker's decision, is seems to me that Bourinot has copied from May. I will read the paragraph:

It is also competent to a member who desires to place on record any special reasons for not agreeing to the second reading of a Bill to move, as an amendment to the question, a resolution declaratory of some principle adverse to, or differing from, the principle, policy, or provision of the Bill or express an opinion as to any circumstances connected with its introduction or prosecution; or otherwise opposed to its progress, or seeking further information in relation to the Bill by committees, commissioners, the production of papers or other evidence, or in the Lords, the opinions of the judges. The principle of relevancy in any amendment governs every such proposed resolution which must therefore strictly relate to the Bill which the House, by its order, has resolved upon considering, and must not include in its scope other Bills then standing for consideration by the House. Nor may such an amendment deal with the provisions of the Bill upon which it is moved, nor anticipate amendments nor attach conditions to the second reading of the Bill.

That, I think, is exactly the present amendment.

Hon. Mr. CHOQUETTE—I call the hon. member to order.

Hon. Mr. DANDURAND—I simply wanted to put on record this opinion, so that it might not be too binding upon the Senate.

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

Contents:

The Honourable Messieurs

Belcourt,	Landry (Speaker),
Choquette,	Lavergne,
Cloran,	McHugh,
Coffey,	Montplaisir,
Costigan,	Tessier,
David,	Thibaudeau—13.
Godbout,	

Non-Contents:

The Honourable Messieurs

Baird,	La Rivière,
Bell,	Lougheed,
Bostock,	Macdonald
Bowell	(Victoria),
(Sir Mackenzie),	McLaren,
Campbell,	McMillan,
Dandurand,	Pope,
Daniel,	Power,
Derbyshire,	Ratz,
De Veber,	Roche,
Domville,	Talbot,
Ellis,	Taylor,
Farrell,	Thompson,
Forget,	Watson,
Jones	Yeo,
(Sir Lyman),	Young——30.
King,	

The motion for the second reading of the Bill was agreed to.

The Bill was then read a second time.

The Senate adjourned until to-morrow at 11 o'clock.

THE SENATE.

TUESDAY, March 26, 1912.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and Routine Proceedings.

QUEEN'S UNIVERSITY BILL.

THIRD READING.

Hon. Sir MACKENZIE BOWELL moved the third reading of Bill (68) An Act respecting Queen's College of Kingston, and to change its name to Queen's University at Kingston.

Hon. Mr. McMILLAN—I should like to ask if they have preserved the scholarships granted to that institution. A gentleman in our town donated a scholarship some years ago and I see nothing about it in the Bill.

Hon. Sir MACKENZIE BOWELL—I have just inquired of the reverend gentleman who is head of the college, and he says they are preserved.

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

THIRD READING.

Bill (69) An Act to incorporate Queen's Theological College.—Hon. Sir Mackenzie Bowell.

RAILWAY RIGHT OF WAY AND STATION GROUNDS IN BRITISH COLUMBIA.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

How many acres of land have been granted for right-of-way? and how many for station

grounds? to the following railways, under the order in council of the 2nd day of December, 1911.

The Revelstoke and Arrowhead branch of the Canadian Pacific railway;

The Nicola, Kamloops and Similkameen Railway Company;

The Canadian Northern Pacific Railway Company;

The Vancouver, Victoria and Eastern Railway and Navigation Company;

The Vancouver Power Company, Limited;

What is the area and location of each station ground, or any other area of land granted for any other purpose under the aforementioned order in council?

What is the date of issue of the letters patent, for the right-of-way, station grounds, or land granted for any purposes, separately to each of the above-mentioned railways?

Hon. Mr. LOUGHEED—The reply furnished to me is as follows:

1. Grants made subsequent to order in council, 2nd December, 1911, none.

Grants made prior to date of order in council, 2nd December, 1911, the Revelstoke and Arrowhead branch of the Canadian Pacific railway, 158 acres.

2. No grants made for station grounds or for other purposes except grants for right-of-way, which latter grants are as follows:

Grants made subsequent to order in council of 2nd December, 1911, none.

Grants made prior to date of order in council of 2nd December, 1911: the Revelstoke and Arrowhead branch of the Canadian Pacific railway.

S.W. ¼, sec. 3, tp. 22 R. 1 W. 6th, 9.98 acres. N.W. ¼, sec. 3, tp. 22, R. 1 W. 6th, 4.25 acres. Date of patent, 30th December, 1907.

S. ½ sec. 18, tp. 21 R. 29 W. 5, 7.35 acres. Date of patent, 18th December, 1907.

N.E. ¼, sec. 13, tp. 21 R. 1 W. 6th,, 4.02 acres S.E. ¼ sec 24, tp. 21 R. 1 W. 6th, 10.50 acres. N.E. ¼ sec. 24, tp. 21 R. 1 W. 6th, 9.70 acres. Date of patent, 19th December, 1907.

S.E. ¼ sec. 26, tp. 21 R. 1 W. 6th, 6.44 acres. S.W. ¼ sec. 26, tp. 21 R. 1 W. 6th, 1.90 acres. Date of patent, 19th December, 1907.

S.E. ¼ sec. 28, tp. 20 R. 29 W. 5th, 2.74 acres. S.W. ¼ sec. 28, tp. 20 R. 29 W. 5th, 3.75 acres. N.W. ¼ sec. 28, tp. 20 R. 29 W. 5th, 6.62 acres. S.W. ¼ sec. 33 tp. 20 R. 29 W. 1th, 4.54 acres. S.E. ¼ sec 32, tp. 20 R. 29 W. 5th, 2.33 acres. Date of patent, 20th December, 1907.

N.E. ¼, sec. 4, tp. 22 R. 1 W. 6th, 8.78 acres. Date of patent, 31st December, 1907.

S.E. ¼, sec. 9, tp. 22 R. 1 W. 6th, 0.68 acres, S.W. ¼ sec. 9, tp. 22 R. 1 W. 6th, 6.48 acres. S.E. ¼ sec. 8, tp. 22 R. 1 W. 6th, 5.05 acres. N.E. ¼ sec. 8, tp. 22 R. 1 W. 6th, 6.03 acres. Date of patent, 31st December, 1907.

3. Answered by No. 2.

SESSIONAL INDEMNITY OF NEW SENATORS.

MOTION.

Hon. Mr. POWER moved:

That in the opinion of the Senate, provision should be made by parliament to indemnify senators Forget, Wilson and Prowse for their attendance at the last session of parliament, and to that end the clerk of the Senate be authorized to send a copy of this resolution to the Minister of Finance, together with a memorandum, showing the amount to which each of said senators would have been entitled for his attendance at such session under the Act respecting the Senate and House of Commons, passed during the present session.

He said: I do not think that it is necessary to go into any very elaborate explanation with respect to this motion, as hon. gentlemen will remember it was represented that in the early part of this session, and I think also in the latter part of the past session, certain members of this House who had been appointed during the last session were thereby involved in debt to His Majesty, as represented by Canada, instead of having anything to their credit. Almost immediately after the opening of the present session of parliament, the present government took steps to remedy the defect in the law under which this injustice was possible. The Bill was assented to some time ago. I am satisfied that the hon. leader of the Senate will agree with the other members of the House in thinking that the hon. gentlemen who came in here last session should not suffer because of the fact that the law was in a form which was not properly understood or appreciated. I assume that the hon. gentlemen who leads the government will not object to the passing of this resolution. If Canada were in particularly straitened financial circumstances, this might be a subject which would call for some discussion, but just at the present time there is plenty of money in the treas-

ury and I think one of the first duties of the government is to indemnify those who are administering public affairs.

Hon. Mr. CHOQUETTE—Why not settle it by conciliation?

The motion was agreed to.

GRAND TRUNK PACIFIC RAILWAY BILL.

WITHDRAWN.

Hon. Mr. CAMPBELL moved the third reading of Bill (V) An Act respecting the Grand Trunk Pacific Railway Company.

Hon. Mr. WATSON—My instructions are to ask that this Bill be withdrawn, and I move that the order of the day be discharged.

Hon. Mr. CHOQUETTE—Who is the father of the Bill? The hon. gentleman from Toronto (Hon. Mr. Kerr) moved the third reading of the Bill and I should like to know who is the boss?

Hon. Mr. CAMPBELL—I moved the third reading in the absence of the hon. gentleman from Beamsville (Hon. Mr. Gibson), to accommodate him, but I withdraw my motion.

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

MANITOBA BOUNDARIES BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (115) An Act to provide for the extension of the boundaries of Manitoba.

Hon. Mr. CHOQUETTE—I desire to propose, not exactly an amendment, but a resolution, or to add some words by way of conciliation, about which we heard so much the last few days. I do not wish to force the government to do anything wrong, but I hope there will be real conciliation in this matter. I will submit the point at issue to great conciliation. We lawyers, by consent, draw a factum and submit it to the court for decision, and that is termed real conciliation, and not political conciliation. I do not oppose the third reading, but wishing to conciliate opposing interests I move, seconded by the hon. gentleman from Victoria division, that after the word 'after' in the 4th line of the last clause of the Bill the following words be added:

The rights and privileges of the Catholic or Protestant minority as to education in the Keewatin territory which is hereby annexed to the province of Manitoba shall have been defined by reference to the Supreme Court of Canada, and after the safe-guard of which will be one of the conditions and provisions mentioned in the last two lines of this clause.

So that instead of two conditions, there will be three. The Senate, by this measure, is coercing Manitoba into accepting two conditions before receiving the land they ask for. I do not see why we should not impose a third condition, which is not merely a question of dollars and cents or of a few acres of land, but a question of conscience, religion and liberty, and, more than that, a question of honour by the country to respect the rights which the minority, Catholic or Protestant, might have in the province. I suppose the two conditions imposed by this House upon Manitoba, before giving them this land will be accepted by that province. It seems to me it is only fair, especially in view of the strong points which have been made in favour of the minority in that district by his honour the Speaker last night, that this provision should be inserted. I may say in passing that I am opposed to the greater part of the hon. Speaker's remarks last evening; but as to the rights of the minority, given to them by solemn treaty and solemn pact, on the word of honour of Her Majesty the Queen, given through the Governor General of Canada and the Lieutenant Governor of Manitoba, he is right. These rights, religious or otherwise, ought to be respected; it seems to me, that we, in this Senate ought to respect the word of the Crown, and to try at least to have these rights recognized as a fair condition in this Bill. When we are giving away the land and the money, it is only just to impose this provision. The hon. gentleman from DeLorimier said 'We must not coerce these people'. We are doing nothing of the kind. The representatives of Manitoba have come to parliament and said: 'You have a certain piece of land in Keewatin district under your control. Will you give

it to us.' We answer 'Certainly we will, but it is only fair for you to accept it with the mortgage on it.' If my hon. friend was proposing to give his property to somebody, and if there were an encumbrance on it, would it be coercion for my hon. friend to say to that man, 'I will give it to you, but you must take it subject to the incumbrance on it.' If I were not in this House, speaking with reference to the educational rights in Manitoba, I would describe the conduct by a French expression, which describes conduct like that. We say we are willing to give our land to Manitoba, but they must accept it with the charge on it. When we were discussing the Highways Bill, hon. members were willing to put coercing conditions to the government to give money to the provinces. The hon. gentleman from Halifax said, 'No conciliation there; we will coerce the federal parliament to submit to the provinces though giving them something,' —no conciliation there. It is the bounden duty of the Senate to protect the province annexed in preserving its rights, and say so to the province of Manitoba in accepting the gift. In this Bill there is political dishonesty. I cannot use any other expression. I do not wish to be harsh, but I feel very strongly on that. The minority should be protected in their rights, if they have rights.

Hon. Sir RICHARD SCOTT—In looking over the debate in the other Chamber in 1875, it is quite clear, from the current of thought that prevailed, not alone on the part of the government but on the part of the opposition, that in granting a constitution to the territories in the manner we did, certain rights that were then set forth would be for ever preserved and that they could not be changed. That was the opinion, not only of Mr. Blake, but of Sir John Macdonald, and of the leading men who took part on that occasion. I have under my hand here the observations made by Mr. Blake as to the necessity for the preservation of the rights of the minority. After concurring in the opinion that the powers which were then being granted were very much larger than were then assumed, Mr. Blake spoke on the Bill introduced by Mr. Mackenzie. In the first instance it did not contain and educational clause, the intention being to introduce it in Committee of the Whole. In 1875 Mr. Blake was not a member of the government. For personal reasons he had resigned in 1874, and when he noticed the Bill that was being introduced he gave expression to the following language:

> He believed that it was essential to our obtaining a large immigration to the Northwest that we should tell the people beforehand what those rights were to be in the country in which we invited them to settle.
>
> He did believe that we ought not to introduce into that territory the heartburnings and difficulties with which certain other portions of this Dominion and other countries had been afflicted. It seemed to him, having regard to the fact that, as far as we could expect at present, the general character of that population would be somewhat analogous to the population of Ontario, that there should be some provision in the constitution by which they shall have conferred upon them the same rights and privileges in regard to religious instruction as those possessed by the people of Ontario. The principles of local self-government and the settling of the question of public instruction seemed to him ought to be the cardinal principles of the measure.

Referring to that particular speech, Mr. Mackenzie said:

> The clause provided that the Lieutenant Governor by and with the consent of his council, or assembly, as the case might be, should pass all necessary ordinances in respect of education, but it would be specially provided that the majority of the ratepayers might establish such schools and impose such necessary assessment as they might think fit, and that the minority of the ratepayers, whether Protestant or Roman Catholic, might establish separate schools, and such ratepayers would be liable only to such educational assessment as they might impose upon themselves.

That was universally accepted in the House of Commons; not a single voice was raised in opposition to it, and the Bill went through the House without a division. It came up to this Chamber and it fell to my lot to have charge of the Bill. The Conservatives were in a large majority in the Senate and I could not hope to carry the Bill without their aid, inasmuch as we had at that time in this House probably the most formidable opponent of separate schools in Canada, the late George Brown, who through the Globe, had raised objection to the separate school system. In justice to Mr. Brown's memory I am glad to say that before he died he recanted that belief and

recognized that in such a country as Canada it was necessary, if we were to enjoy the blessings of peace, that Christian charity should prevail, and it was necessary that it should not be thwarted. But in 1875 Mr. Brown made a strong speech against the Bill. Among those who helped to carry it were Sir Alexander Campbell, Mr. Allen and other liberal minded Conservatives who recognized the contract that had been made at confederation, and who stood by the Bill and carried it through. The followers of the government of the day were very few in this Chamber; you could count them on the fingers of your hand, and therefore it was solely by the alliance with the opposite side, of men such as I have named, that the Bill was carried. It is a sad thing to me that in the last fifty years the spirit of toleration has not grown with the age, that the sentiments of men fifty odd years ago were much more christian like, much more kindly to their fellow men who differed from them in religious matters. I illustrate that by just reading the division on the separate school Bill in Ontario. There were, of course, some violent opponents of the Bill. I think it took me four years before I got it through. It was in 1860 I first introduced it, and could have carried it, but hon. gentlemen know, who have had any experience of the House of Commons, that a public Bill in the hands of a private member has very little chance of getting through unless the government are behind it, because it is only on a particular day and at a particular time it can be brought up, and two or three gentlemen choosing to speak against it can prevent it passing. Mr. Brown was able to throw it out in 1862 with the assistance of Mr. Ferguson. I mention that as an illustration of the difficulty of passing a public Bill in the hands of a private member, if it is strongly opposed. The vote for the second reading of the Bill, in 1863, stood 80 to 36. On a motion for the six months hoist there were only 22 for the amendment, and 58 against it. Among those who supported the Bill were Mr. Benjamin, who was at that time the Grand Master of the Orange Order. Mr. Anderson who was the Grand Treasurer of the Order, and continued to be the Grand Treasurer for some 25 or 30 years after—a very fine man. I was a long time with him in parliament. He was a man of the highest principle and he stood by the Bill through all its stages. Then John Hillyard Cameron who was either a past Grand Master or succeeded Mr. Benjamin in that position, was among those who supported the Bill. Sir John Macdonald was always steadily, from the beginning of his life through to the end, in favour of separate schools, and always advocated principles involving toleration to the minority. At the time that a premier madcap, in 1890, moved the abolition of the separate schools, practically, by making a uniform school system in Manitoba, Mr. Ernest T. Wood, who was a member of the Manitoba legislature, wrote to Sir John Macdonald asking how he should vote on this question. I should like to read Sir John Macdonald's answer to Mr. Wood. He wrote:

> You ask me for advice as to the course you should take upon the vexed question of separate schools in your province. There is, it seems to me, but one course open to you. By the Manitoba Act, the provisions of the B.N.A. Act (sect. 93) respecting laws passed for the protection of minorities in educational matters are made applicable to Manitoba, and cannot be changed; for, by the Imperial Act confirming the establishment of the new province, 34 and 35 Vict., c. sec. 6, it is provided that it shall not be competent for the parliament of Canada to alter the provisions of the Manitoba Act in so far as it relates to the province of Manitoba. Obviously, therefore, the separate school system in Manitoba is beyond the reach of the legislature or of the Dominion parliament.

That is the opinion of a gentleman who assisted in framing the British North America Act, who was present when Mr. Blake and Mr. Mackenzie spoke in favour of the Bill in 1875, and who spoke in favour of it himself. The general current of thought at the time was that those clauses could not be changed. Keewatin at that time formed part of the Northwest Territory; the law was passed and was considered to be sacred for all time to come, and it would shock very much indeed the men who preceded this parliament, had they been told that a time would come in the history of Canada when the representatives of the people in either Chamber would advocate a measure that would deprive the minority of their sacred rights. How can they hope to have peace and harmony in the country if the rights which are dearest to every

man are to be taken from them violently by the force of numbers? It is a sad thought to me; it makes my voice tremble when I think that toleration is less to-day than it was fifty years ago. Could I have passed that Separate School Bill to-day? No I could not. The influence of the United States along side of us has had an effect on Canada. We are drifting in the same direction, and there is nothing that can save Canada in the future. If my voice could be preserved fifty years from now, it would show that I was right—fifty years hence toleration will be hopelessly gone. The United States, owing to the refusal of the people to acknowledge God in their schools has drifted into infidelity, and forty or fifty millions of the population never bend the knee to their Maker. They have raised the god of Mammon and the god of Reason, believing that it is unmanly to recognize anything they cannot comprehend. Faith has vanished from the land. You see the consequences of it to-day. I have here the remarks made by the leader of the Church of Scotland in Canada, speaking of the population coming from the United States. He says they are fine settlers; they make money, bring stock with them, and are enriching the country, but he says they are all against the church. Their morality is low; they recognize nothing but mammon, nothing but temporary prosperity. That is where we are drifting. I see that a convention of educationalists is to be called in a few days, and one member draws attention to the fact that unless religion is introduced into the schools they are drifting on to immorality. Why, hon. gentleman should be so anxious to take away a right and privilege belonging to the minority in Keewatin that must lead to higher spirituality, I cannot understand. Surely a man who believes in christianity is better than an atheist. He is responsible not only in this world but in the world to come. As scripture says, 'What does it profit a man if he gain the whole world and lose his own soul.' Surely we are not going to adopt a doctrine that we are not responsible beyond to-day —that we do not look to a hereafter. Surely to a community in which we are forty-four per cent Catholics—not enough unless by the charity and kindly feeling of the non-Catholics to preserve our rights and privileges, there is an object lesson in the province of Quebec that ought to be taken to heart. As I mentioned the other day, at the time Quebec came into the confederation it was assumed that the dissentient schools existed there by law, and when it was found that they did not exist by law, Sir Alex. Galt resigned, but atonement was made. The moment Quebec became a province, most liberal laws were adopted conferring on the dissentients the right to establish their own schools. There is not a high school in the province of Quebec that is not subsidized by the Quebec government. An immense school was organized for the purpose of teaching Protestant ministers. In the face of that, how can non-Catholics in parliament take action to deprive the minority of the rights and privileges claimed by them, in view of what they see pervailing in the province of Quebec. Is that a noble example to the people? I have here the opinion of Mr. Robins, who for 30 years was the superintendent of the Protestant schools in the province of Quebec. S. P. Robins, L.L.D., Principal of McGill Normal School says:

> I would do less than justice to leading politicians of all shades in this province if I were not to state my admiration of the attitude which they maintain towards education. During an association of more than thirty years with the public education of Quebec, an association which has repeatedly brought me a suitor on behalf of education into contact with men of influence of all political parties, I have found a universal desire for the spread of popular education, a willingness to listen patiently to the view of practical educators, a wide love of fair play for the educational rights of the minority, and a determination to hold the precious interest of education aloof from the turbulent arena of political party.

Surely that example is worth following. I feel deeply grieved on this occasion at the apparent decision of this House to rob a minority of the rights and privileges that were guaranteed to it under the constitution. It is a very serious blow. It is the first time that the Upper Chamber has so acted. When my Bill came before the Upper House of the old province of Canada in 1863 what was the vote? Contents 40; non-contents 15. I could give you the votes from time to time, all in the same

line. The Upper Chamber has not on one single occasion since the introduction of government into Canada failed to respond to an appeal from the minority to protect its rights. It is a discredit and will make those who come afterwards, I hope, blush that this Chamber now, with the large majority they possess, deliberately refuse to recognize rights whatever they may be that have been sacredly promised under our constitution. I am not making any reference to Manitoba; it is hopeless.

Nothing could be more sacred than the agreement under which Manitoba came into confederation. The Act passed in the Canadian parliament and the Imperial parliament, and continued during the long period of nineteen years, without anybody calling it in question, and a madcap like Martin, who now represents one of the slums of London, off his own bat took the view of the matter that he would create one school and telling everybody to attend to that particular school. Of course it has been a failure. The Catholics in many parts of Manitoba continued to subscribe to the public school and at the same time to support their own school. I saw it was hopeless for this parliament to make any move in that direction, and that is why I did not advocate any action in regard to it, but so far as making a declaration in regard to the territory we are annexing to Manitoba is concerned, it is our bounden duty to make provision for any rights they have. If they have none, it amounts to nothing, but any rights they have should be honestly and fairly preserved.

Hon. Mr. CLORAN—I think it is seldom this honourable House has heard an utterance so remarkable as that just given to us by the senior member from Ottawa. He has, in a few words, put the glorious history of the past, when men were men, before the men of to-day, who evidently do not come up to the measure of the men of the past. In a few brief words, and with the documents in his hands, he has shown to this honourable House, and I hope beyond the limits of this House, to the people at large, that liberty was loved for liberty's sake, that freedom, honesty and honour were regarded by the public men of that time for what they meant to the people struggling to get along in the broad expanse of Canada. It did me good to hear these old facts recited here to-day. What a comparison between that speech of to-day and the speech of last night by the hon. member from De Lorimier. Oh, the Blakes, the Mackenzies, the Ross's and the Mowats, the Holtons and the Pardees have gone. They did not capitulate; they did not sacrifice the rights of the people on the false ground of the so-called conciliation, and getting up a bogy cry of coercion to make an argument all the stronger, when there is no coercion in any word the noble thirteen or fifteen who have voted for the amendments—not one assertion of coercion or dictation. We have been practically on our knees, freemen in Canada, pleading with the government of the day, and oh, so sad to see, pleading with the Liberal phalanx in the Senate, to do justice, and, if not to do justice, not to have an injustice committed. We have been on our knees in this House for the past ten years calling for mercy, not like the hon. member from De Lorimier, (Hon. Mr. Dandurand), who on one occasion voted twice for amendments that practically meant the destruction of the Bill, and then the day after turned around and tried to crush the attempt of those who seek protection for the weak and the poor, turned around and voted against a simple declaration of policy that the Bill should contain something to safeguard the rights of the minority, and he made that plea to this House on the ground that Manitoba should not be coerced and should not be dictated to. There has been no coercion and dictation on our part. He raised that bogy plea to what? To what he has pleaded to here before, and I tell him now to his face, to plead to a non-Catholic gathering. He has done it to the great disadvantage of the Liberal party in the city of Montreal. The speech which he delivered last night would not secure one vote in the province of Quebec for the Liberal party. That speech is calculated to destroy any of our prospects, and to assist the work of the men who ripped up the ranks of the Liberal party in the campaign last year. I stand for no principles of that kind. I want no craven

capitulation emblazoned on the banner of the Liberal party. I want no sacrifice of the rights of the minority to be put in black letters on the banner of the Liberal party. Why, with a jaunty air he sacrificed the rights of Keewatin, just as jauntily as if he were throwing cabbage leaves to hogs. He asked us that we should, for the sake of conciliation, throw away our rights. Why, the minister from Manitoba, Mr. Rogers, was more generous than that. The Postmaster General, who evidently has betrayed his party on the question, was more generous than the hon. member. They promised their followers in the House that they would see that the Roblin government gave full justice to the minority, and on that declaration they secured the vote of the Nationalists, and have for the past two weeks maintained themselves in power. I have much more admiration, under the circumstances, for Mr. Pelletier and for Mr. Rogers than I have for the hon. gentleman from De Lorimier, and I for one, as a Liberal, repudiate the stand he took here last night. It is not in harmony with the doctrines of our old leaders who led the party onward and onward, very often to defeat, but always upholding the rights, always standing by the banner of honour, honesty and justice. Why, the Pagans of old could teach the hon. gentleman from De Lorimier a lesson. One of them said in the famous verse 'Fiat justitia ruat coelum', which translated from the Latin means, 'Let justice be done though the Heavens fall.' I say here let justice be done even though the parties go down to ruin. What a noble cry for a legislator is this so called cry of conciliation! Throw away your rights so as to get the good-will of the majority. What good will have they to give you if they take everything from you? It is like asking a dog to lick the foot that kicks him. We have heard pronouncements on the legal aspects of this question, which were as hair splitting as lawyers could possibly make them. Take the speech of the hon. gentleman from De Salaberry, (Hon. Mr. Béique) I for one, could not make head or tail of it. Then you have heard the voice of the Speaker (Hon. Mr. Landry) last night, which I must say was a most comprehensive study of the whole subject, although he was out of order three-quarters of the time he was speaking, and the hon. leader of the government never had the courage to call him to order. But the study was comprehensive, solid, based on all our legal and constitutional documents and our legislative enactments. Like the hon. gentleman from Grandville (Hon. Mr. Choquette) I do not agree with many of the strictures he passed on the Liberal party and the Liberal leader. Of course that is his right as a partisan, but I am not prepared to accept these personal strictures. Sir Wilfrid Laurier did the best he could in 1896, but that is no reason why his followers now, and the descendants of old Liberals should not try and do better in the future. We are giving the present Conservative government the opportunity of their lives, and we are doing it by way of conciliation. Our first amendment was to have the Bill referred back, so as to give the government a chance for a further conference with the Roblin government. Was there any coercion in that? Would it not be up to the government here and the government at Winnipeg to come together and try to arrange some amicable settlement? That was not a coercive measure. It was one of conciliation and good will, but I was sorry to see the spectacle last night, when we could not get one single non-Catholic to vote for the amendment except Tom Davis from Saskatchewan. Is that not a nice state of affairs? Where is the conciliation? Is there any conciliation on the part of the majority? Did they put their hand over the chasm and say 'shake hands, and we'll be friends.' Not one of them. But we had five or six good Catholics voting with the majority each time. I suppose that was conciliation, but it does not carry the respect of their own people, and I venture to say, in the innermost hearts of the non-Catholics it does not carry respect either. It is not the legislative enactments, or the constitutionality of the question which is going to have weight with men who have preconceived ideas in regard to this matter, and who are prejudiced in regard to it. I am appealing, not on religious, national or racial cries, but am appealing to my fellow-men on grounds of honour and com-

mon honesty, and not on the low ground of dollars and cents. I am addressing a government which is strong, and which, I believe, if it had the courage, would exercise fair play and justice towards the people of the territory to be annexed. I will repeat my appeal until the people from Manitoba shall have heard it and become converted. I appeal to them not to take the money of the poor Catholic to educate non-Catholics, and compel the poor Catholic to build his own school-house, equip it and meet all the expenditure of education afterwards. Do not do it. It is not honourable, honest or just. I learned only yesterday that after the Catholic family has built a school-house, the limit of meanness is reached, because they go to work and actually tax the little school house property and all under the guise and protection of the law. If you were to go into another man's house and try to take a dollar from him, you would be put out or arrested. The majority in Manitoba have not the courage of the ordinary highway robber or housebreaker. They go to parliament and get parliament to pass a law whereby they can rob the Catholics of their goods and money. Such a state of things is not known in any other corner of the British Empire, not even in England, where Protestantism is strong. I am practically with the hon. gentleman from Ottawa when he says that the case of Manitoba at present is hopeless. It will take some years for them to open their eyes; I do not see why they should not open their eyes right off. I was surprised to hear the hon. gentleman from St. Boniface (Hon. Mr. Larivière) tell this House that there were only 25,000 Catholics in Manitoba. I can understand it now. Over the portals of the great province of Manitoba is the sign: 'No Catholic rights here, no Catholics wanted.' Manitoba with a population of three or four hundred thousand, if not more, has only to-day, after the Catholics starting the population of that country, a paltry 25,000. No wonder Catholics do not go into that country. Do the people of Manitoba want to keep them out? They know there is another place with a similar sign over the door, away far down, and the sign reads: 'No Catholics need apply, no Catholics admitted here.'

Rt. Hon. Sir RICHARD CARTWRIGHT —Is that purgatory?

Hon. Mr. CLORAN—So that we are now justified in asking the government to refer this question to the Supreme Court to define exactly what the rights of the Catholics are, especially in view of the division of opinion among the leading legal lights of this House; from the hon. Speaker down to the humblest lawyer, no two of them agree on any one point. This question should be referred to the Supreme Court, just as they referred the Ne Temere decree, and just as Sir John Macdonald referred the Manitoba School Bill for their decision. There is no humiliation to the government in this course. All that we ask is that they take the opportunity to secure from the Supreme Court and Privy Council an absolute and final definition of the rights of these people and then embody it in this Bill.

Hon. Mr. McMULLEN—The hon. gentleman from Ottawa has given the history of the separate school question for many years. He is undoubtedly versed in the whole history of the subject, but all that he gave us was prior to the decision of the Privy Council regarding the unlimited rights of Manitoba to legislate on questions affecting education, that we have no right to attempt to restrict or fetter them in any way.

Hon. Sir RICHARD SCOTT—My hon. friend is entirely wrong, they said it rested with the parliament of Canada to right the wrongs that had been done.

Hon. Mr. McMULLEN—No, the views the hon. gentleman gave us, expressed by Mr. Blake and others, were before the decision of the Privy Council regarding Manitoba. That decision clearly pointed out that Manitoba had the right to legislate upon matters of legislation as they choose.

Hon. Sir RICHARD SCOTT—No, the hon. gentleman is entirely wrong.

Hon. Mr. McMULLEN—What is the condition of things in Manitoba to-day? They have a common school system. Any Catho-

lic or Protestant minority have the right to arrange with the teacher of a section to use the last half hour in the evening for the purpose of giving religious instruction. They can come in if they choose and teach the Catholic catechism or the dogmas and doctrines of the Catholic church for that half hour. The Protestant minority may do the same thing. It appears that the Catholic minority are not quite satisfied with that arrangement. Their idea with regard to instruction in schools is, apparently, that the religion should be the leading feature of education within that school. It is made the leading feature. In the common schools secular education is made the leading feature, and the school is opened and closed with prayer. In case the minority in any school section claim the right to give religious instruction for the last half hour, those who do not agree with the proposed instruction to be given have the right to withdraw from the school. I should like to know why our Catholic friends are not satisfied with that arrangement. They ought to be. Surely they can arrange to give their children in the last half hour of the school day all the religious instruction necessary. At the time the question of the establishment of separate schools was up in Manitoba I occupied a seat in the House of Commons. After studying the whole question, I came to the conclusion that if you were going to divide the very limited number of school children in Manitoba, and put them into two camps, separate schools and common schools, you would impose a very costly educational system upon that province—a teacher hired at three, or four, or five hundred dollars a year to teach three, or four, or five pupils in the common school, while another teacher would be employed in the separate school, perhaps across the way, or at no great distance, to teach four, or five, or six Catholic children. I contend that the educational system of each province should aim at giving to the children an education to fit them, in a business sense, for the battle of life. A secular education is an absolute, imperative necessity for the children, girls or boys, to fit them for the duties of life. Christian education is also necessary, but it should be given in the church, in the home, or in the Sabbath school. Our Catholic friends think that they cannot manage to educate their children in a religious sense in these three places, and they want to control the schools and make religious teaching the leading element in education. I do not think it is right that the children should be deprived of the right of a thorough education to fit them for the battle of life. I have no desire to trample upon the rights or the conscientious convictions of any Catholic or Protestant. I want to afford to them the full privileges I would like for myself, but I do not believe in attempting to force Manitoba to perpetuate any privileges that those people in Keewatin may have had. To attempt by legislation to compel Manitoba to continue those things will only result in Manitoba finding ways and means whereby they will get around any restriction or provision you may place upon that province. So far the Catholics have not been unjustly dealt with in Manitoba, although they themselves are in love with separate schools that give religious instruction from beginning to end. That is the feature of the education. I think that they are fairly well used, and while they have the right to take possession of the common school for the last half hour and give religious intruction in it, with the privileges and rights that they enjoy, as far as church matters are concerned, as far as the Sabbath schools are concerned and in the home circle, I think they should be well satisfied. They should be well satisfied with those conditions and agree that those who are going into Manitoba by the addition that is made will have the same rights and privileges that the Catholic minority have in the province of Manitoba now. I sympathize with the conscientious conviction of Catholics, but the nation should aim at a high standard of education for the rising generation, and it is better, in the interests of the Catholic minority and their children, that they should be educated side by side with the Protestant children and thus be prepared to compete successfully for the honours that an efficient, thorough education would bring them. It is better for them, and I am sorry our Catholic friends do not see it in that light, to get education side by

side with the boys with whom they will have to compete in the battle of life. I regret that we have over again this never-ending fight on the separate school question. I would rather have peace and harmony. If our Catholic friends could only see it as they ought to see it, taking advantage in Manitoba of the opportunity offered them by the public schools, they would be ready to bury the hatchet on this question and take the situation as it now exists.

Hon. Mr. DAVIS—I think this is the most sensible amendment which has been moved to this measure. It is not a question of separate schools so much as one of rights. I have pointed out that this section of territory that has been taken into Manitoba does not belong to that province. It is Keewatin, and the people in Keewatin have not asked to come into Manitboa; Manitoba wants to take them in. If they have any rights, those rights should be settled before they are taken in. If a vote of the people in that territory had been taken as should have been done, and the majority of the people in Keewatin had voted to go into Manitoba without any guarantee of rights, I would heartily support the Bill. I submit, on broad principle, that the people who are interested in that territory should have been consulted. If there is any question, or doubt, in the mind of anybody with reference to these claims, it should be settled in some way. Eminent lawyers in the country claim that certain rights exist. We have also a certain other school of lawyers who say those rights do not exist. Who is going to settle the question between these two opinions, given by equally competent learned men? I see nothing wrong in this amendment. We should obtain the opinion of the Supreme Court. The question would be amicably settled. More can be obtained by conciliation than by force. You cannot take these people by the scruff of the neck and throw them into something they do not want. There is nothing wrong in this proposition. It is exactly in line with the proposition made in the other House when a gentleman introduced a Bill with reference to the Ne Temere decree. A question arose as to the jurisdiction of parliament in this matter. One body of lawyers said the people of Quebec had certain rights, and another body of lawyers said they had none. The government said we will get a decision from the Supreme Court and ascertain the rights of the people. If that was the proper course to pursue in one case, is it not right in the other, more particularly as the people of the territory have not been consulted? It would have been fair to have taken a plebiscite of the people who are going to be taken into Manitoba. Not having done that, a decision of the Supreme Court would have the effect of quieting the feeling in the country, because if the finding is against our friends who submit claims, I think they will loyally accept the decision of the court and everything will be settled in a satisfactory way. If you put the Bill through in its present form, you are not going to settle the matter and you will have trouble.

Hon. Mr. COFFEY—I desire to ask the hon. gentleman from Wellington one question. He seems to be wedded to one great system of public education for the whole people. It is a broad question, and that presentation of the case appeals to many. Supposing we have two schools in a town, say in Manitoba, one attended by fifty or one hundred Catholics and the other a public school attended by fifty or a hundred non-Catholics, and supposing the separate school gives a complete system of secular education; supposing, as I demonstrated the other day, that school outstripped the public school in results in secular studies, what right has he, or what right has any man, to come into that school and tell me, a Catholic, how much or how little of my faith I may teach in that school? Catholics feel deeply on this question, and no matter what comes or goes, no matter how much taxes we may have to pay to our own school, or how much we may be forced to pay to other schools, we will always and everywhere have our own system of education.

Hon. Mr. McHUGH—As hon. gentlemen all know, I am a supporter of the separate school. That does not mean that I do not look with a great deal of pleasure on the

good work that the public schools are doing in the dissipation of mental darkness in the country. Do not think for a moment that the supporters of separate schools are opposed to the public schools, or to the noble work they are doing. We would like to see the hand withered that would be raised against the work of dissipating mental darkness, and we would like to see the tongue that would speak against it paralyzed, but we feel that when the question of secular education has been raised to the highest pitch, religious or Christian instruction should go along with it. The hon. gentleman from Wellington (Hon. Mr. McMullen) pointed out a moment ago how necessary it was to have that secular education which would enable the child to take a high place in the professional or mercantile world. The people who send their children to the separate schools are just as anxious to have their children become proficient in those matters. We wish to be your allies, we wish to emulate you, and are proud to see our children take that high position. But the hon. gentleman from Wellington places secular education above Christian education. I say that the child who receives a secular education without religious instruction is not properly educated—his education is sorely neglected. The hon. gentleman says that this work should be done in the home, in the Sunday school, and in the church. If I wished to take up the time of the House I could point out the difficulties that lie along that line. In the Dominion of Canada there are hundreds of thousands of families where the father has to leave his house before his children are out of bed in the morning. He comes home tired at night after trying to earn a pittance to support them, or to procure the necessaries of life for the children.

When he comes home for the evening meal he has to hurry to bed to recuperate and gather his strength for his next day's work. Has that father much time to devote to the religious instruction of the child? The mother, on the little pittance she has received, has to spend the day trying to prepare victuals for the maintenance of the children. She has to attend to the washing and mending till the small hours of the morning and, therefore has not much time. The child is kept at the school five days in the week; at the end of the five days he feels the time is short enough for recreation. The Sunday schools are there, but where are the children? They are seeking the recreation and play which they think necessary to keep up their strength for the next week. Their churches are there. The ministers are there but the children are absent, searching for recreation. It is the first right of the parent to see that secular knowledge is given to the child, and it is only when the parent neglects to do his duty in that respect that the state has anything to say in regard to the education of the child. It is a matter of conscience with the Catholic parent at any rate, to teach his child. While he is as anxious as any Protestant to give that child secular knowledge, yet it is a conscientious conviction with him that his child must be taught, in addition to the teaching in regard to the islands and seas and history of the world, that there is a land beyond the sky. Whilst it is all right to learn from historians of war, and all that, he must be taught that there is a land beyond the grave and a God in Heaven. If you shut these things out from the teachings of the school the whole of the time the child is at school then I say that we are allowing this country to drift into 'infidel secularism', as some hon. gentlemen expressed it. It is a sore thing to my mind to see Protestantism and Catholicism divided on this question. They are afraid Catholicism will gain a point over them if they give them the right to teach religion in their schools, and Catholicism wants to get some privileges over them, perhaps, so both playing into the hands of secularism and infidelity. I speak as a Catholic, but I would regret very much to see the day ever come when the great fundamental principles of Christianity that are taught by the Protestant denominations of this country would be swept by the blast of infidelity or secularism. I should like to see religion taught in every school in the country, for the very reasons I have pointed out before, and for the reason that it is impossible to do that work properly in the Sunday school or in the churches, and I want to see the name of God kept in the school during the week.

Hon. Mr. POWER—I feel hesitation in addressing the House a second time on this matter. I expressed my views a few days ago, and they have not been changed since; but addresses such as those made by the hon. gentleman from Lindsay (Hon. Mr. McHugh) and the hon. gentleman on my right (Hon. Sir Richard Scott) are calculated perhaps to a certain extent to cloud the issue which is really before the Senate. The question before the House now is not whether separate schools are a good thing, not whether it is a desirable thing that religious instruction should go hand in hand with secular instruction. In regard to that all we Catholics are of one opinion. The question is this: recognizing the fact that it is desirable that there should be opportunities in the schools which the Catholic children frequent to be instructed in religion, what is the best way to bring about that result, as regards the province of Manitoba and the district of Keewatin? That is the only question. On that point my views are just as they were the other day. I think the hon. gentleman to my right, and some other hon. gentlemen, have pointed out that in the provinces of New Brunswick and Nova Scotia, where there is no legislative protection to the Catholics, the good feeling of their fellow-citizens has given them substantially what they desired. It has not done so altogether. I wish that to be understood. I regret that there is not legislative protection also. But at any rate, the good feeling has gone a very long distance. Why is it that that good feeling does not appear to have gone as far in Manitoba? It is not, I think, that the people of Manitoba are made of very different clay from the other people in the country, but it is just this: that since the year 1890 Manitoba has been a battlefield, for the education question, and every one knows, as they say, the smaller the rat pit the more fiercely the rats fight. The feeling in Manitoba has been much stronger than it would have been if this fight had not been got up, and if there had not been an attempt on the part of the Dominion government to push Manitoba into doing something that she might have done voluntarily, but that she would not be forced to do. What good result do hon. gentlemen expect to follow from impeding and preventing the passage of this measure which is of so much consequence, not only to Manitoba, but to the whole country, the settlement of this boundary question? I really do not see that there is anything to be gained by it. The utmost that can be hoped for is that possibly the comparatively few Catholics who are in the present district of Keewatin might not be subjected to the present school law. That seems to me to be a comparatively trifling matter. I do not know how many schools there are. There might be a couple of Catholic schools in Keewatin, but that would be the outside. On the other hand, I contend that if we pass this Bill as in its present shape, it is clear from the speech made by the hon. gentleman from St. Boniface (Hon. Mr. Larivière) and from other circumstances, that there is just at the present time a very strong inclination on the part of the government of Manitoba and of the government of Canada to settle this question, to remove the grievance altogether. Suppose that that view is correct, instead then of benefiting some three or four hundred Catholics in the district of Keewatin, you benefit the whole Catholic population of Keewatin and the present province of Manitoba, whereas the passing of any such amendment will defer this Bill going into operation and could only help the very few Catholics who are at present in the territory of Keewatin. I do not propose to go into a general discussion. Hon. gentlemen should remember this: some hon. gentlemen have spoken as though any member of this House who happened to differ from themselves in opinion is a traitor to his religion and to his country. I do not propose to put my conscience into the keeping of the hon. gentleman from Victoria (Hon. Mr. Clorən) or the hon. gentleman from Grandville (Hon. Mr. Choquette). These hon. gentlemen have a perfect right to entertain their own opinions. I assume their convictions are conscientious, but I have a conscience as well as they, and I am guided in what I am doing now by my conscience, and I do not think these gentlemen have any right to talk as though I was acting contrary to my conscience.

Hon. Mr. CHOQUETTE—It is on account of the way the hon. gentleman spoke on the Highways Bill—protecting the minorities.

Hon. Mr. POWER—That is one of these arguments which go to show just how much logic there is in the hon. gentleman from Grandville. After a good deal of consideration I have arrived at a conclusion with respect to this matter, and while I cordially endorse everything the hon. gentleman from Ottawa (Hon. Sir Richard Scott) has said about the evils of mixed schools, and all that, as a matter of conscience I feel my duty is to vote against this amendment.

Hon. Mr. WATSON—It might be just as well to understand what this Manitoba school law is about which there is so much controversy. We have heard some very severe criticisms on the way in which the Roman Catholic minority in Manitoba were treated by the majority in that provinct. The school law of 1897 embodies the settlement arrived at between the federal and provincial governments of that date, and that Act provides for the religious instruction, and specifies the hours, the days and all such provisions that are made. It is a short Act, and reads as follows:

An Act to Amend the Public Schools Act.
(Assented to 30th March, 1897).

Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Manitoba, enacts as follows:

1. Religious teaching, to be conducted as hereinafter provided, and shall place in any public school in Manitoba;

(a) If authorized by a resolution passed by the majority of the school trustees of the district in which the school is carried on, or

(b) If a petition be presented to said school trustees asking for religous teaching and signed by the parents or guardians of at least ten children attending the school in the case of a rural school district, or by the parents or guardians of at least twenty-five children attending the school in the case of a city, town or village school.

2. Such religious teaching shall take place between the hours of 3.30 and 4 o'clock in the afternoon, and shall be conducted by any Christian clergyman whose charge includes any portion of the school district, or by any person duly authorized by such clergyman, or by a teacher when so authorized.

3. Where so specified in such resolution of trustees, or where so required by a petition of parents or guardians, religious teaching during the prescribed period may take place only on certain specific days of the week instead of on every teaching day.

4. In any school in towns and cities, where the average attendance of Roman Catholic children is forty or upwards, and in villages and rural districts where the average attendance of such children is twenty-five or upwards, the trustees shall, if required by a petition of parents or guardians of such number of Roman Catholic children, respectively, employ at least one duly certified Roman Catholic teacher in such school. In any school in towns, and cities where the average attendance of non-Roman Catholic children is forty or upwards, and in villages and rural districts where the average attendance of such children is twenty-five or upwards, the trustees shall, if required by the petition of parents or guardians of such children, employ at least one duly certificated non-Roman Catholic teacher.

5. Where religious teaching is required to be carried on in any school in pursuance of the foregoing provisions and there are Roman Catholics and non-Roman Catholic children attending the school. and the school room accommodation does not permit of the pupils being placed in separate rooms for the purpose of religious teaching, provision shall be made by the regulations of the department of education (which regulations the board of school trustees shall observe), whereby the time alloted to religious teaching shall be divided in such a way that the religious teaching of Roman Catholic children shall be carried on during the prescribed period on one half of the teaching days in each month, and the religious teaching of the non-Catholic children shall be carried on during the prescribed period on one half of the teaching days of each month.

6. The department of Education shall have the power to make regulations not inconsistent with the principles of this Act, for carrying into effect the provisions of this Act.

7. No separation of pupils by religious denominations shall take place during the secular school work.

8. Where the school-room accommodation at the disposal of the trustees permits, instead of allotting different days of the work to different denominations for the purpose of religious teaching, the pupils may be separated when the hour for religious teaching arrives, and placed in separate rooms.

9. No pupil shall be permitted to be present at any religious teaching unless the parents or guardians of such pupil desire it. In case the parents or guardians do not desire the attendance of pupils during such religious teaching, then such pupils shall be dismissed before the religious exercises are begun or shall remain in another room.

10. When ten of the pupils in any school speak the French language, or any language other than English, as their native language, the teaching of such pupils shall be conducted in French, or such other language, and English upon the bilingual system.

11. The provisions of 'The Public Schools Act' and amendments and of 'The Education Department Act' inconsistent with the provisions of this Act, are hereby repealed.

12. This Act shall come into force on the first day of August, A.D. 1897.

I certainly think there is a misconception in the minds of some people. I said the

other day, during the debate, that I did not think the question would have arisen except for the purpose of making it a football. That has been done in Manitoba, and probably tried to be used that way elsewhere in the Dominion of Canada. As far as the Educational Act is concerned, the Catholic minority should have no cause of complaint. I cannot fully appreciate the scruples they have about religion and teaching religion during school hours. It is probably a good thing, but so far as the affairs of Manitoba are concerned, I am proud to say no such condition as has been described by the hon. gentleman from Victoria division (Hon. Mr. Cloran) exists, or ever did exist, in that province. The relations between the Catholic minority in that province and the Protestant majority are very agreeable. There is no bigotry, as far as I know in the way of Protestants persecuting Catholics, and I think the representations made here by some hon. gentlemen advocating amendments to this Bill should not be quite so severe.

Hon. Mr. DANDURAND—I had occasion to examine this question as far back as 1908, when the proposition was made to the Manitoba government by the late government to extend the boundaries on certain lines. I then studied the question to the best of my ability and came to the conclusion that, on the question of law and on the question of policy, I would support such a Bill as the one which is now before us. What I had decided I would do when sitting on the other side of the House I determined to maintain and carry out when on this side of the House. It is a question of law and policy. I will not apologize differing on a question of law from the hon. gentleman from Victoria division. And I will not apologize to any one for deciding what is the best policy to be followed. It is a question of judgment and conscience. I have felt that the best way to serve the minority in Keewatin and Manitoba was to follow the lines I am now following. A few days ago I voted in favour of an amendment to postpone the discussion in order to allow the federal government to enter into pourparlers with the Manitoba government to see if all the grievances that are claimed to exist in Manitoba could not be removed.

I stated last night that I hesitated considerably in doing so. I was ready to speak on the second reading before the amendment was proposed, but as I felt that my speech might perhaps have some influence in weakening the decision of some of my colleagues in voting for the amendment, I abstained from speaking before the amendment was voted upon. The result was just as I had foreseen. My misgivings were absolutely correct. We separated on racial and religious lines. This is what I want to avoid, and that mistake I shall not repeat this time I shall vote against any amendment.

Hon. Mr. FORGET—As a Roman Catholic, in 1897 I accepted the settlement made by the late government of the Manitoba school question as the very best that could be made under the circumstances. While holding this view, I am free to say that I have the greatest admiration for the then Prime Minister of Canada, who took the bold and manly stand which he did in trying to push through the House a measure which he thought best for the purpose of settling the grievance of the Roman Catholics in Manitoba, but which proved his political destruction. But, as I said before, in accepting as a Roman Catholic, the settlement which was made by the late government of the Manitoba school question, and believing it was the best that could be made under the circumstances, I say that, if it was good enough for 25,000 Roman Catholics in the whole of the province of Manitoba, it should be good enough for the 50 or 100 Roman Catholics who are to be found in that portion of the Northwest Territories to be added to Manitoba. I am in favour of the Bill as prepared by the government. I am against any amendment which could in any way endanger that Bill or postpone its acceptance by the province of Manitoba. I say that I am in favour of it on political grounds. as well as on grounds of good policy. The present government cannot afford to delay the passing of a Bill of this kind, and the Liberals, who form the majority in this House, cannot take the responsibility, as a party, of delaying the acceptance of that Bill. We know that in the past five or six years the late government was charged with delaying

purposely, for political or other reasons, the enlargement of the province of Manitoba. Whether right or not, the charge was made against the late government, and if to-day the majority of Liberals who compose this House were to act in such a way as to defeat the present Bill, it would be regarded simply, to my mind, as a confirmation of that charge. Therefore I say for political, as well as public reasons, I am in favour of the Bill.

The House divided on the amendment which was lost on the following division.

Contents:

The Honourable Messieurs

Choquette,	Lavergne,
Cloran,	Mackay (Alma),
Coffey,	McHugh,
Costigan,	Montplaisir,
David,	Scott
Dessaulles,	(Sir Richard),
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Non-Contents:

The Honourable Messieurs

Baird,	Kerr,
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Bell,	Legris,
Bostock,	Lougheed,
Bowell	Macdonald
(Sir Mackenzie),	(Victoria),
Campbell,	McLaren,
Cartwright	McMillan,
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Dandurand,	Pope,
Daniel,	Power,
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Ellis,	Taylor,
Farrell,	Thompson,
Forget,	Watson,
Gibson,	Yeo,
Jaffray,	Young—37.

Hon. Mr. DAVID—I move in amendment, seconded by the Hon. Mr Fiset, that the following words be added to clause 8:

And to the recognition of the rights concerning education which the minority, Catholic or Protestant, may, on reference of the matter to the Supreme Court of Canada, be found to have in the territory proposed to be annexed to the province of Manitoba by this Act.

The only effect of the amendment will be that the legislature of Manitoba will be obliged to apply to the Supreme Court in order to ascertain the rights of the Catholics in Keewatin. There is no coercion. I am sure the hon. leader of this House, who has not said a word thus far, was waiting for an amendment of this kind, and that he will rise and say that he accepts it.

Hon. Mr. YOUNG—Have we not voted on that principle already ?

The SPEAKER—No, I think not.

The amendment was declared lost on the same division.

Hon. Mr. CHOQUETTE — I move, seconded by the Hon. Mr. Cloran, that the following clause be added to the Bill as clause 9:

Nothing in this Act shall in any way prejudice or affect the educational rights that the Catholic or Protestant minorities in the annexed territory have, or might have, under any law, imperial, federal, constitutional, or provincial, or derived from any treaty or compact.

In the House of Commons there was a clause like that in the Bill in favour of the Hudson's Bay Company, reserving their rights. The clause had to be stricken out because there was some objection. I wish to insert these words as clause 9.

The amendment was declared lost on the same division.

Hon. Mr. CLORAN—I move that this Bill be not now read a third time, but that it be read a third time this day six months.

Hon. Sir RICHARD SCOTT—I think it is only fair to make an explanation. The statement has been made by my hon. friend from Wellington (Mr. McMullen) that Blake, Mackenzie, Sir John Macdonald and the others who took part in the negotiations in 1875 would not have acted as they did had they been aware of the Privy Council judgment. The Privy Council judgment was not delivered on the constitutional question, but on a mere matter of fact, and they admitted afterwards that they were wrong, as appeared by the second judgment.

The amendment was declared lost on the same division.

Hon. Mr. BEIQUE—I move that after the word 'time' the following words be added:

With the understanding that the government will use its best influenec to induce the legislature of Manitoba to so amend the school law in the said province that the minority, Catholic or Protestant, may be satisfied and all causes of agitation removed.

I wish to say a few words to this amendment.

The Senate adjourned till three o'clock in the afternoon.

Second Sitting.

The SPEAKER took the Chair at Three o'clock.

Routine proceedings.

MANITOBA BOUNDARIES BILL.

DEBATE RESUMED.

Hon. Mr. BEIQUE—Opinions may be divided on the question as to whether the minority in Manitoba, as well as in the territory to be annexed, have, in law, any rights to separate schools, but I fail to see that there can be two opinions on this question: that in 1869 when the people of the Red River Valley were invited to join the Dominion of Canada they were promised separate schools. It is in black and white in the Bill of rights which was granted to those people at that time. I fail to see, also how it can be disputed that when, in 1870, the Manitoba Act was passed and the words 'by practice' were introduced into that Act, anybody can pretend to say that those words were not intended to protect the rights to separate schools. It was so admitted in almost express words by the Privy Council, and any one who has followed the events and read the Manitoba Act of 1870 cannot but conclude that the introduction of those words had that object in view. The Privy Council, however, has decided that those words were insufficient to achieve that object and the minority were non-suited. But the minority remained, all the same, with a strong moral claim, not only because of the promise made to them in 1869, but also because of the passing of the Manitoba Act with the use of those words; and it seems to me that this moral claim, although it cannot be enforced by law, is nevertheless a claim which should be respected and supported by all administrations. I think I am within the truth when I say that in another branch of parliament several ministers took the same position as I now take on this question. And if I am not mistaken, not only was that position not controverted by the right hon. Prime Minister, but it was in a way supported by him, not only by his silence when his colleagues were speaking in the House, but also by expressions which he made use of. Therefore, I say, it has been recognized by the present administration that the minorities have moral claims to separate schools. If that is recognized, I say it is the duty of the present administration to try to use its influence with the Manitoba government, not by way of coercion, but by way of obtaining justice for all classes in this Dominion; and it is its duty to see that these rights, such as they may be, that those promises, such as they were made, are respected and fulfilled, and thus try to obtain satisfaction for the minority and at the same time remove all cause of friction. My amendment is not for the purpose of preventing the Act from passing; it is merely adding to the passing of the Act this expression of opinion on the part of this honourable House.

Hon. Mr. DANDURAND—I understand that this amendment, which is an addition to the motion for the third reading, does not modify in the least the Bill as it came to us from the other Chamber. It is tacking to this motion, for a third reading, a resolution expressing a wish of this Chamber. Yesterday a similar procedure was adopted when the second reading of this Bill was moved. I expressed some doubt as to the orthodoxy of this procedure, and a point of order was raised. His honour, the Speaker, declared that such an amendment could be made, and I bowed to his decision; I do not raise the point again, although I am under the impression that further reading of the authorities on the point would lead his honor, the Speaker, to alter his opinion. The situation being thus, and we being confronted with this amendment, which is in the form of a resolution by the hon. gentleman from De-

Salaberry (Hon. Mr. Beique) I am disposed to vote for it and to strongly support it.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. DANDURAND—I do so because it is, in my mind, one of the ways that can be employed to press the Manitoba government to apply its best attention to the wiping out of whatever grievances remain with the minority of that province. I heard with some emotion this morning, the hon. gentleman from Ottawa (Hon. Mr. Scott) stating that liberalism and broadmindedness had not gone on increasing in this Dominion and that he was convinced that he could not pass in this parliament the separate school clause which he had passed in 1875.

Hon. Mr. CLORAN—He is right.

Hon. Mr. DANDURAND—It seemed to me a somewhat harsh condemnation of the men of the day, and I wondered if he was expressing the fact as it really is. We are to-day facing a situation which did not obtain in 1875. This Bill has passed as it is, in the form in which it is, because it has been felt that as a question of law it was inopportune to move amendments; at all events, a certain number of members of this Chamber were actuated by that conviction. I have no doubt that there had been an apparent exhibition of intolerance in the province of Manitoba in 1890 and I would not like to compare the sentiment there with the sentiment which exists throughout other provinces. Comparisons are odious, and comparisons that I would make to-day, seemingly favourable to a province, would, perhaps, be found to be untrue to-morrow. But here we are now with an amendment which embodies a wish—

Hon. Mr. LOUGHEED—Would my hon. friend pardon me just at this point? I should like to raise a point of order as to this amendment. I should like to point out to the hon. the Speaker, and to this Chamber that in the first place it is not germane to the Bill. It deals with a subject which is entirely foreign to the Bill; in the second place it is repugnant to the Bill.

Hon. Mr. CLORAN—In what respect?

Hon. Mr. LOUGHEED—The House of Commons has already passed a Bill; this House, up to the third reading, has passed a Bill dealing with a certain subject. In no sense can an amendment be made on a motion that does not propose to embody in the Bill the subject matter of the amendment itself. This House proposes to pass the Bill in its present form and to tack on to the motion for third reading a statement that it is passed on a certain understanding not disclosed in the Bill at all. Well, if we can pass a Bill and attach to the motion for third reading a statement of facts, or an understanding, not embodied in the Bill, not enclosed in the Bill, then it is quite apparent that there will be no fixity in our legislation.

Hon. Mr. CLORAN—That is the worst of it.

Hon. Mr. LOUGHEED—In the third place, it does not propose in any way to affect the Bill. The only expression that parliament can make touching upon a subject upon which it legislates, must be contained in the four corners of the Bill. If that were not the case, there would be no conclusiveness to legislation. Now, I may say in the fourth place, that this proposes giving instructions to the government, and no such precedent can be found as giving instructions to the government to deal with a subject attached to a Bill and not dealt with in the Bill. I therefore raise the question of the point of order.

Hon. Mr. BEIQUE—Answering the hon. gentleman, we know the ruling of the Chair at the sitting of this honourable House yesterday when the amendment, which is printed on page 600 of the 'Minutes of this honourable House, was before us. I understood that the hon. Speaker ruled that it was merely an expression of opinion, and that it was open to this honourable House to make that expression of opinion. I submit that the amendment is exactly in the same line as that of the amendment which was dealt with yesterday, which was as follows:

That after the word 'time' the following words be added, 'with the understanding that in the proper time a clause will be added affirming the principle that the educational

rights to which the people of the annexed territory may be entitled, under any law, imperial, federal, contitutional or provincial, or derived from any treaty or compact, shall be safeguarded.

Here I think it is open to this honourable House, in allowing this Bill to be read a third time, to express its opinion that the government should, as a sequence to the passing of the Bill, exercise their influence in such or such directions.

Hon. Mr. BELL—I would call attention to the fact that I think there is a distinction between the amendment moved to-day and the amendment to which reference has been made by the hon. member from De Salaberry (Hon. Mr. Beique). That amendment of last night proposed that certain words should be added to the Bill after the word 'time.'

Hon. Mr. DANDURAND—At the proper time; not then.

Hon. Mr. CLORAN—That was to be in committee.

Hon. Mr. BELL—At the proper time?

Hon. Mr. DANDURAND—Yes; at the proper time.

Hon. Mr. BELL—Were not those words added as an addition to a clause in the Bill?

Hon. Mr. DANDURAND—The amendment of yesterday was moved to the second reading by adding to this Bill that this be read a second time with the understanding that at the proper time, or in due time, an amendment would be moved on such a line.

Hon. Mr. BELL—It seems to me that in this case I would urge the force and strength of the constitution made by the hon. leader of the government in this House. It strikes me that here we are passing the Bill yet not passing the Bill.

Hon. Mr. DANDURAND—We are passing it.

Hon. Mr. BELL—If we pass this Bill with this expression of opinion as to what we think the government might or might not do, it is stultifying the House.

Hon. Mr. BEIQUE.

Hon. Mr. CASGRAIN—A recommendation for mercy.

Hon. Mr. BELL—The House might come to a resolution on a subject of any kind it likes, but to my mind it is not in order to pass a Bill with any such addition on the third reading. I have never seen such a thing done in my experience.

Hon. Mr. CHOQUETTE—I just had it in my mind to raise the point which has been raised by the hon. leader of the House, for I have really grave doubts whether the amendment is in order, but it was not for me to raise the point, because I was glad to see in front of me a gentleman who was, I may say, amending himself in now declaring—though he said last night he was not going to support any more amendments—that he is willing now to support an amendment which is just about he same as the one I myself proposed. I think the amendment moved by the member for De Salaberry (Hon. Mr. Beique) is just about the same amendment that I had moved myself, but he moves it in a wrong moment. I wish to say that there is a great difference between the amendment I moved on second reading, in which I affirmed a principle—saying that there was no objection to having this Bill read a second time with the understanding that on going into committee one had a right to move an amendment—and an amendment moved now that the Bill has been practically disposed of although we have no committee of the House. But now to say in an amendment that this Bill is passed with the understanding that the government do this and that, practically amounts to nothing; and although I do not raise a point of order I am pretty much inclined to say the point is well taken. If the point is not well taken I will vote for the amendment because it is on the same principle as the one I moved, because the hon. gentleman seems to repent of his vote of yesterday.

Hon. Mr. POWER—I think I agree with the hon. gentleman from Grandville that this point of order is well taken.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—I have never known such an amendment moved to the third reading of a Bill, and it is not intended to amend the third reading as a matter of fact; it is simply intended as a sort of postscript to the motion for the third reading.

Hon. Mr. YOUNG—A rider.

Hon. Mr. POWER—Yes, and it seems to me the hon. gentleman from De Salaberry (Hon. Mr. Béique) would attain his end quite regularly and just as effectively by giving notice of a substantive motion to be moved at some other stage of the House.

Some hon. GENTLEMEN—Hear, hear.

The SPEAKER—The decision I gave yesterday was on a motion made on the second reading of the Bill before the principle was adopted, and I quoted Bourinot on that occasion. I was answered last evening by a quotation from May. Taking May on page 472:

> It is also competent to a member who desires to place on record any special reasons for not agreeing to the second reading of a Bill to move, as an amendment to the question, a resolution declaratory of some principle adverse to or differing from the principles, policy or provisions of the Bill.

I took it for granted that the motion made in amendment yesterday to the second reading was a declaratory motion, affirming a principle which was not really the principle of the Bill, because the principle of the Bill is merely the annexation of a certain part of territory in the northwest to the province of Manitoba; while the other principle, coupled with that one in the motion presented yesterday, was to make that annexation under certain conditions providing that the rights of the minority of that part of the territory to be annexed would be safeguarded. That was affirming the principles of the Bill and it was promising at the same time, to bring in a motion at a further stage of the Bill. I did not think that I could at that time declare the motion out of order, and for that reason I accepted the amendment. To-day the Bill has been read a second time, the principle has been adopted; and now we are come to the third reading with another motion, but made at another stage, asking the same declaratory resolution to be grafted to the Bill.

Hon. Mr. DANDURAND—Not to the Bill.

The SPEAKER—To the third reading of the Bill. Well, if the Bill was carried with that motion on the third reading it would return to the House of Commons with that resolution attached to it.

Hon. Mr. CASGRAIN—No; only the Bill would go, not the resolution.

The SPEAKER—I take it in that way. If it cannot go as amended, where is the amendment? And for that reason——

Hon. Mr. BEIQUE—The main motion——

Some hon. GENTLEMEN—Order.

The SPEAKER—If the Bill does not go, it is not amended.

Hon. Mr. YOUNG—If the amendment does not go——

The SPEAKER—If the amendment does not go back to the House with that tail you want to put to it, it is not amended. At that stage of the proceeding I think the motion is not in order.

Some hon. GENTLEMEN—(Calls for the third reading).

Hon. Mr. COFFEY—Before the third reading may I be permitted to make a short amendment, seconded by Hon. Mr. Tessier:

> That Bill (No. 115) be amended by inserting after paragraph (b) of section 2 the following: (c) where the expression 'at the union' is employed in section 22 of the Manitoba Act of 1870, 33 Victoria chapter 3, it shall be held to mean in respect of the territory added to the province by this Act the date at which this Act comes into force.

Hon. Mr. CLORAN—Hear, hear. That is Doherty's expression of opinion. Before the motion is voted on I have much pleasure in speaking to this question, in view of the fact that the Minister of Justice, in another branch of parliament, omitted this formula and this idea in regard to the present Bill, I want the hon. leader of the House to understand that distinctly, but I do not want to put him in conflict with the Minis-

ter of Justice. I think it is the duty of the hon. leader of this House to tell us what the Minister of Justice thinks on this question. If he does not, I will do it, and I will ask the Senate to endorse the action and the expression, the opinion and the declaration of his Minister of Justice, who, in another branch of parliament, has distinctly declared that the rights of the union —Manitoba or any other province—were to be respected in regard to the present annexation. That is the declaration of the policy and the principle announced by the present Minister of Justice. The leader of this House has been very silent during all this debate, like a good owl on a tree, looking wise and saying nothing, leaving it to us poor fellows, who have to make speeches every two minutes to try and protect and secure the rights of the people, to look like fools, some people say; but I hope that our speeches, no matter how frequent in this House, will bear fruit in the future, and I hope the hon. leader of the government in this House will not repudiate the declaration of its Minister of Justice as expressed, in this amendment presented by the senator from London (Hon. Mr. Coffey). That is plain English.

Hon. Mr. LOUGHEED—Will my hon. friend pardon me just a moment? I should like to raise a question of order.

Hon. Mr. CLORAN—I am always called to order, but why didn't you call the Speaker to order last night?

Hon. Mr. LOUGHEED—I would point out that it is proposed to amend the Manitoba Act, which is a constitutional Act and which this House cannot amend. I simply point out that it is not an amendment to this Bill, but an amendment to the Manitoba Act of 1870.

Hon. Mr. YOUNG—Passed by the imperial parliament.

Hon. Mr. LOUGHEED—Yes, and confirmed by the imperial parliament.

Hon. Mr. CLORAN—On that point of order, like all others, I shall——

Hon. Mr. LOUGHEED—Will the hon member permit the Speaker?

Hon. Mr. CLORAN.

Hon. Mr. CLORAN—Taking away the right to discuss a point of order?

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. CLORAN—Well, if the hon. leader did not have courage to call the Speaker to order last night, where did he get the courage to-day to interrupt me in my remarks?

Hon. Mr. LOUGHEED—It is a question of order.

Hon. Mr. CLORAN—I am asking a plain question. I say the point of order is not well taken, and I contend——

Hon. Mr. LOUGHEED—Of course my hon. friend can speak to the point of order, but I rise to the point of order.

Hon. Mr. CLORAN—Who is the judge, you or I? I am the judge of what I am saying, and I want you to understand, which evidently you don't.

Hon. Mr. LOUGHEED—And I don't think anybody else does.

The SPEAKER—Hon. gentlemen will please discuss the point of order.

Hon. Mr. CLORAN—The point of order is this, that the hon. member from London (Hon. Mr. Coffey) is out of order. Now, I want the Speaker to rule on that.

Hon. Mr. BELCOURT—I want to say a word on the point of order raised by the leader of this House. My hon. friend claims that the amendment is out of order because the proposed amendment would amend the Manitoba Act. I think he is wrong. That is not the fact.

Hon. Mr. LOUGHEED—That is what it proposes to do

Hon. Mr. BELCOURT—That would not by the result of the amendment. The object of the amendment is merely to define the meaning of certain words to be found in the Manitoba Act as they may be applicable in the future to the territory of Keewatin, so that it does not in the slightest degree amend the Manitoba Act.

Hon. Mr. POIRIER—I do not see any difference.

Hon. Mr. BELCOURT—If my hon. friend will wait till I am through I will answer any question he may wish to put to me. The Manitoba Act of 1870 contains the words 'at the union'; those words still remain in the Manitoba Act, just as they have been all along; they will attach to them exactly the same opinion that they have had all along in reference to the province of Manitoba, so that in no respect, in no way, does this proposed amendment amend or seek to amend the Manitoba Act. It merely purports to define the meaning of certain words in the Manitoba Act inasfar as they would be applicable to the territory which they are now annexing.

Hon. Mr. LOUGHEED—Would my hon. friend permit me by way of illustration. Suppose my hon. friend from London (Hon. Mr. Coffey) said that the word 'union' should mean the province of Ontario, what would my hon. friend say? That is practically what he does.

Hon. Mr. BELCOURT—But my hon. friend does not read the amendment as it is put.

Hon. Mr. LOUGHEED—Read it.

Hon. Mr. BELCOURT—The amendment says that the words 'at the union' to be found in the Manitoba Act, when applied to Keewatin, will mean a certain thing. Now, in what way does that amend the Act.

It shall be held to mean in respect of the territory added by this Act.

Surely that is not an amendment to the Manitoba Act in any way. If this amendment passes, section 22 of the Manitoba Act, will remain absolutely intact, untouched. I think the point of order is, clearly, wrongly taken.

Hon. Mr. DERBYSHIRE—Are we going to spend all the afternoon on this?

The SPEAKER—The amendment reads as follows:

Where the expression 'at the union' is employed in section 22 of the Manitoba Act, 1870, it shall be held to mean in respect of the territory added to the province by this Act the date at which this Act comes into force.

Hon. Mr. YOUNG—Surely we are getting interpretations.

Hon. Mr. LOUGHEED—That is, it departs from the original compact of union between the province of Manitoba and the government of Canada as confirmed by the Imperial Act.

The SPEAKER—Yes, I understand that, but I do not understand that this amendment amends the British North America Act of 1871.

Hon. Mr. LOUGHEED—It places another meaning on the word 'union.'

The SPEAKER—It places a meaning; that meaning may be good, or it may be wrong. If it is good it does not interfere with the Act. If it is wrong, as any judge will decide, they will not be bound by the meaning that we may place on certain words in the imperial statute.

Hon. Mr. LOUGHEED—But this parliament would not have authority to place a construction on that word in a constitutional Act which has received imperial confirmation.

Hon. Mr. CHOQUETTE—This amendment seems to me essential to the second clause of this Act. Under the word 'Interpretation' it says:

"(a) 'The province' means the province of Manitoba. (b) 'The government' means his Majesty the King, etc." There is no harm to add (c) 'The union' means the union at such a date. It makes no difference to the Bill at all. That is just the interpretation of this Act, and it is a better understanding of the Act. So I think, really, the point of order is not well taken.

Hon. Mr. POIRIER—I do not see that we have any constitutional right to define the words of an Imperial Act and say that a word means a certain thing. We are not a body here to say what the word means; that is for the Supreme court to decide; therefore I believe we are clearly out of order. If that motion is in order then we can take an imperial Bill and give it any interpretation we want to. That is clearly out of order.

The SPEAKER—I would point out to the hon. gentleman that in 1895, when the Acts of Alberta and Saskatchewan were proposed to this House and to the House of Commons, the Prime Minister, in clause 17 of the Act—that is, in clause 16 which became 17 in the law— the parliament of Canada took upon itself to amend the British North America Act.

Hon. Mr. BELCOURT—It did exactly what we are doing now.

Hon. Mr. POIRIER—No.

The SPEAKER—The parliament of Canada took upon itself to strike out all the first section of clause 93 of the British North America Act and insert in its place a new clause. The words 'denominational schools' were stricken out altogether and the words 'separate schools according to the ordinances of 1901' were put in. That was an amendment of the British North America Act. It may be said that in constituting a province the parliament may have certain rights it does not have when merely annexing territory. There may be a distinction. But I say that it has been in former days by the parliament itself. I do not mean that we have a right in this case to substitute a new clause for another one. I want a little more light on that subject than I have now.

Hon. Sir MACKENZIE BOWELL—Is it not the fact that whenever a constitutional Act affecting this confederation was changed, altered or amended in any respect, it was done by an address of parliament to the imperial government? This parliament never took upon itself power or authority to change or amend an imperial Act. In every instance, if my recollection serves me at all, when an amendment was required in order to enable us to conduct the business of this country more expeditiously and properly, an address was presented to both Houses of parliament praying the imperial government to amend it on the lines that we desired. Now, if this amendment has the effect of interfering with or changing an Act which has been approved of by the imperial parliament, it would clearly be out of order, because we have no such power. If it be desired to amend it they would have to pursue the precedents which have been set by parliament. For myself, I frankly confess, not having had an opportunity of comparing the amendment now proposed with the Act before us to see how, if passed, it would affect it, I do not understand its bearings. If my hon. friend who moved that amendment would explain to the House, and to myself, how it is going to affect this Act or what effect it has on the Act we would be better able to understand what we are voting for.

The SPEAKER—If I understand this amendment, it is a clause added to the interpretation clause of the present Act. The present Act in section 2 has two paragraphs, (a) defining what the province of Manitoba means, and (b) defining what the word 'King' means. This motion is to add a third paragraph defining in what way we should understand the word 'union' when we read it in the British North America Act.

Hon. Sir MACKENZIE BOWELL—Will the Speaker tell me whether that is an interpretation, or a meaning, given to the interpretation clause of the Act of 1875? There is no clause in this Act giving an interpretation of any portion of it.

Hon. Mr. BELCOURT—Here is the clause that parliament adopted in 1905: Section 93 of the British North America Act of 1867 shall apply—

> 17. Section 93 of the British North America Act, 1867, shall apply to the said province, with the substitution for paragraph (1) of the said section 93, of the following paragraph:—
>
> (1) Nothing in any such law shall prejudicially affect any right of privilege with respect of separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the ordinances of the Northwest Territories, passed in the year 1901, or with respect to religious instruction in any public or separate school as provided for in the said ordinances.

Hon. Mr. LOUGHEED—Yes, but that is not the point at all. That is a case where the federal government is erecting provinces out of the Northwest Territories; but this is a constitutional Act, an Act entered into between the province of Manitoba and the

central government, approved by the imperial government, which is an entirely different consideration. The Northwest Territories lay there, and the central government have the right to erect those territories into provinces on whatsoever terms they choose.

Hon. Mr. BELCOURT—Of course I do not dispute that. In one case we were creating provinces; in this case we are annexing part of a territory to a province; but I pointed out the other day—and this is a matter that has been lost sight of by my hon. friend and a great many gentlemen in this House, in discussing this matter—we are making a bargain; it is a pure and simple agreement we are making with these people; and if we take words from another statute surely we can define the meaning of these words, just as we would in making, say a collateral or additional agreement to another agreement. We say 'Here are certain words to be found in the British North America Act. Surely in making this agreement we have a right to define the meaning of those words in applying to this particular territory.' There is actually no difference whatever except that in one case we were creating provinces, and in this case we are annexing part of a territory. I say we did in 1905, almost in exact words, what is now proposed by the amendment of the hon, Mr. Coffey.

Hon. Mr. BEIQUE—I rise to support the point of order raised by the hon. leader of the government in this House; not, however, for the reason that he has urged in support of it, but by way of calling the attention of the hon. Speaker to the point which he has raised: In 1905 when the provinces of Alberta and Saskatchewan were constituted this parliament was acting in the discharge of its duty under the Imperial Act of 1871 which enables this parliament to create provinces and to give them a constitution.

Of course, in keeping with the principles of the British constitution, and, as was very properly said by the hon. member from Ottawa, instead of repeating word for word, or with certain changes, as a matter of convenience only, section 93 was used by way of reference, and in making certain amendments in the reading of that section 93, parliament was clearly in the exercise of its duty. Coming now to the point of order, if the laws regarding schools had not, by the Manitoba Act, which is the constitution of the province, been made a part of the constitution of the province, then I think the amendment would be perfectly in order; but, according to my understanding of the question, by the constitutional Act of the province of Manitoba, the privileges of the minority in school matters were made a constitutional question, and that constitutional question governs the whole province, not only as it may be constituted to-day, but as it may be constituted to-morrow; and I claim that it is not because new territory may be added to the province from time to time that this parliament has a right to say that part of the territory annexed shall not be governed by the constitution of the province; the constitution has to extend to the whole province.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. BEIQUE—By way of explaining the position I have taken on this question, and which I take again, I claim that it is part of the constitution of Manitoba and that the amendment seeks to place the new territory on a different footing as regards schools from the balance of province.

The SPEAKER—Does the hon. gentleman refer to the Act passed in 1887? What does the hon. gentleman call the constitutional Act?

Hon. Mr. BEIQUE—The Act of 1870, as confirmed by the Imperial Act of 1871. It is the constitution of the province, and my point is that that constitution applies to the whole province as extended from time to time, and that it is not within the power of this parliament to prevent that constitution from applying to the whole province as it may be extended from time to time.

Hon. Mr. POIRIER—I think the hon. gentleman from De Salaberry (Hon. Mr. Béique) has answered the hon. member

from Ottawa in a way that is convincing, and I shall simply answer what our Speaker has said, by saying that in this very Bill, there is a clause for interpretation. I beg to call his attention to the fact that clause 2 interprets our Act, while the amendment gives an interpretation to an imperial Act, which makes all the difference in the world.

Hon. Mr. CLORAN—We have the authority of the Minister of Justice and I hope to see in the Speaker a little respect for that opinion——

The SPEAKER—I cannot decide that, and I shall leave it to the House to decide.

Hon. Mr. LOUGHEED—Possibly my hon. friend from London (Hon. Mr. Coffey) will withdraw the amendment.

Hon. Mr. COFFEY—No; take a vote.

The amendment was lost on division.

Hon. Mr. CLORAN—The amendment may be lost, but I have the floor, and I am entitled to speak.

Hon Mr. DERBYSHIRE—Did the Speaker declare that motion lost or not?

The SPEAKER—I declared the amendment lost. I remember that the hon. member said he reserved his right to speak afterwards. While the amendment was defeated, that was lost sight of. The main motion is now before the House that this Bill be read a third time.

Hon. Mr. CLORAN—I have realized one fact in public life, and that is, that it is perfectly useless, in a public assembly of this kind, to debate a question affecting a great national issue once that body has preconceived notions. Hon. gentlemen have made up their minds, and I am not speaking so much to the 40 members here as to the seven or eight millions outside the walls of this Chamber. I am not talking to closed minds or innate prejudice or misled prejudice.

Hon. Mr. POIRIER—I call the hon. member to order, he is imputing motives.

Hon. Mr. CLORAN—I am not imputing motives; I am stating conditions which cannot be denied. We cannot expect to get any results from preconceived ideas, from closed minds, or from prejudice.

Hon. Mr. POIRIER—Are you speaking for yourself?

Hon. Mr. CLORAN—I am speaking for everybody, and especially for myself; I have a preconceived idea that liberty is dear. I have an open mind, and I will give the Protestants in Quebec the same freedom that I enjoy as a Catholic. There has been an unfortunate conditions of things in this House for the past ten days. On the occasion of several votes we have witnessed a condition of things that ought not to exist. One hon. gentleman deplored that when the votes were taken, hon. gentlemen were divided on racial and religious lines. I want to point out that he did not see the whole situation. The vote was not taken on such lines. On one side were both Protestants and Catholics, Irish Scotch and French. On the other side, there were poor Roman Catholics all alone. We have the consolation of knowing that we did not have an English Protestant to vote in favour of the amendment except Hon. Senator Thomas Davis and Hon. Senator McKay. I was asked how it was the Hon. Senator McKay voted with us, and I said it was because he appreciated the situation in Quebec. What would you say if in Quebec they enacted a law similar to what they have in Manitoba, and put the Protestants of Quebec under the heel of the majority? What would you say and do, how would you vote? Haven't we the same right in the year of our Lord 1912 to do what Joe Martin did in the year 1890? I was almost ashamed to hear the senator from Wellington (Hon. Mr. McMullen) declare that the law was in the interests of the people. He forgets the old days. He forgets the triumphs of the Blakes and the Mowats. The hon. gentleman from Wellington is old enough to know of these men and how they fought to safeguard the rights of the minority in Quebec. Did Mowat, or Ross or Hardy lose by standing up for the rights of the people? No. They swept the province for 33 years, simply because they stood for right, justice, honour and truth. That is the record of the Liberal party in

Ontario. Would to God it was the record of the Liberal party in Manitoba. Manitoba to-day is the blackest spot on the map of the British Empire. There is no other part of the British dominions where the rights of the people are trampled upon so unscrupulously. I feel that what I am saying now, and what I have said during the past days will have no effect on the judgment of the hon. gentlemen present. I remember the feelings expressed here by the noble 13, or the devil's 13, as Sir John Macdonald called those who voted against his government on the Jesuit question. I feel in my soul that when these expressions are sent out the people will be more honest, will take them to heart and live up to them. I do not expect justice at the hands of Manitoba next year, or in ten years or, probably, in 100 years. My ancestors had to wait 700 years before they got justice. My ancestors, and the ancestors of many of you were hunted like wolves. They fought for their rights; they were not silenced by the voice of the British parliament, or the dictates of the British government. They went from hedge to hedge and learned their a, b, c's from the priest or the sister, who were obliged to go to them in disguise. They fought for long years and thank God, as a result of that fight to-day the British parliament is awake to the injustice of the past, and, as Gladstone said, injustice is enough to call down the vengeance of Heaven. The British government to-day is prepared to give to those people the right to say how they should govern themselves. Now, all we are asking in this Bill is the right of a few people to govern themselves. Oh how it sounds harsh—how it sounds, I was going to say almost devilish to hear a representative of the people say: 'But they are only a paltry hundred; why disturb the relations of Manitoba on account of that paltry number.' The man who utters that has no sentiment of Christian charity in his heart, has no sentiment of religion. Why if that were applicable to national positions, what would have happened? The French Canadian race numbers to-day in the Dominion of Canada over two millions and in the United States an equal number. If the neglect of a poor minority had been enforced by Act of parliament when Quebec was ceded to the British crown with a paltry fifty-nine or sixty thousand souls—about three thousand families—would that three thousand families, ceded to the British crown one hundred and fifty years ago, number to-day four millions and over? The British Crown at that day was more open to conviction and argument in dealing with a minority than this hon. body is to-day in regard to the paltry two thousand people in Keewatin. It is the same principle which underlies the two situations, and when a representative of the people rises on the floor of this House and asks parliament to sacrifice the rights of those people because they are few and weak and of no account, I say he is not fit to represent the people in this parliament, or in any free parliament.

Hon. Mr. POWER—I rise to a question of order. There is a rule which says that no senator shall use taxing or offensive speeches. The hon. gentleman is just now using offensive language which can be intended for nobody but myself. I call on the Speaker to see that the decency of debate is preserved in this House.

The SPEAKER—I call the attention of the hon. member from Victoria division to the fact that he must confine his remarks to the question before the House. This is the third reading of the Bill, and no sharp or taxing language should be used to designate any member of this House.

Hon. Mr. CLORAN—I am sorry the hon. gentleman took the cap to himself. There are others.

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—I am called to order by the hon. member from Halifax; I did not intend my remarks for him alone—there are several.

The SPEAKER—I call the attention of the hon. member to this fact, that what he says is a little worse than what he said before.

Hon. Mr. CLORAN—Well, gentlemen——

Some hon. GENTLEMEN—Order, order.

Hon. Mr. CLORAN—Well, hon. gentlemen, in reply to this point of order I have

not in view the hon. gentleman from Halifax any more than anybody else I beg his pardon, but I say expressions of opinion have been made here on the floor of the Senate on several occasions that the minority of Keewatin should not get the protection to which they are entitled because they are small in numbers and weak, and some went so far as to say that they had not petitioned to have their rights protected. On both questions those hon. gentlemen were wrong, because the people of Keewatin had petitioned this government to protect their rights. Then, as to the population of the country, it is unworthy of a representative of the people to say that because a people are small in number and weak, their rights should be sacrificed and thrown to the dogs. I hold that the government of the day has been given ample opportunity, every possible means whereby to rectify this condition of things, and all those who have spoken in support of the amendments to the Bill have done so in the best of faith, in the interests of freedom, in the name of the constitutions, in the name and on behalf of conscience, and on behalf and in the name of a poor feeble people. Now what could the leader of the government advise his colleagues in regard to our action except to say: 'Well, gentlemen of the government, the Senate is proposing amendments, not with the object of destroying or injuring the Bill, but simply to improve it, simply to secure a little measure of protection for a poor unprotected people.' That has been our attitude from the beginning. I am now coming to my last word on this subject: I heard an hon. member say, in my presence and in the presence of others, that God Almighty could not change the Manitoba law. I thought at the time when I heard the expression that it was an awful blasphemy—'God Almighty himself, could not force Manitoba to change its law.' I do not accuse the hon. member from St. Boniface (Hon. Mr. Larivière) of having given expression to that statement. To my mind, it was an outrage on human decency and the respect we owe to the Deity. 'God Almighty could not compel Manitoba to change its laws' in favour of justice, truth and honour. That is a sad condition of things, and this Bill, as it is, will go to preserve the present condition of things until we, the minority, are able to convince the majority of the future—not of to-day, they are too blind, too bigoted, too dishonest to-day to admit the rights of a poor, long-suffering people.

Hon. Mr. CASGRAIN—I do not rise to propose an amendment, but just to quote the words of one who might be listened to, especially by the party now ruling this country. I desire to quote a few words from Sir George Ettiene Cartier, spoken when he was about to leave for England, for the Capital where the foundations of confederation were about to be discussed. The event took place on the 30th October, 1866, at a great banquet given to him by his admirers in the city of Montreal, and that very question which has been occupying the attention of this House for so long, and which has been before this country for the last 20 years, was brought up; it will take but a few moments to read what he said in concluding his speech. That was the question uppermost in the minds of the people at that time. It particularly occupied the attention of the Protestant minority of Quebec at that period. They were the ones who were against giving a legislature to the province of Quebec because they thought the rights of the Protestants would not be safeguarded by that legislature. They wanted legislative union, one parliament, and no provincial legislature, and the reason was that they did not want to be at the mercy of the French Catholic majority of Quebec. In order to get the confidence of the Protestant minority of Quebec, as well as assuring the French, or Catholic minority in the other parts of the Dominion that they would be as fairly treated as they would be in the province of Quebec, he said:

I am also a French Canadian, as a great number of those I see around me. I love my race, I have for it an affection which is quite natural, but as a politician and a citizen, I love also the others. And I am happy to see that through this gathering of my countrymen of all classes, of all races, of all religions, my compatriots have recognized that I posses that sentiment, I have already made the occasion in parliament to say that the Protestant minority of Lower Canada had noth-

ing to fear from the provincial legislature under confederation. My word is engaged and, I say it once more, nothing shall be done of a nature to wound the principles and the rights of that minority. I call as witness all Protestant guests who listen to me. The word I give shall be kept; it is that of a man of honour. I see here at my sides distinguished military men whose motto is: 'to die for one's country!' What shall be the motto of the statesmen? 'keep thy word until death!'

After having said that the Protestants of Lower Canada shall have all possible guarantees, I must add that the Catholic minority of Upper Canada shall have the same guarantees, and I also give you my solemn word that it shall be so. The Catholic minority of Upper Canada shall be protected as equally as the Protestant minority of Lower Canada. All apprehensions on this subject are vain and false. Do not think of that.

I will not weary the House by reading the remainder of the speech. He speaks in many places of all the provinces of this great confederation being united and in every part, no matter whether it is in the Northwest or in the provinces by the sea, that is under confederation the rights of the minority, whether they be Catholic or Protestant, would be protected. I appeal to the hon. leader of this House. This is the voice of the dead speaking to him. It is the voice of his former leader, the one who was a great leader of the Conservative party, these were the assurances given to minorities of the confederation at the very moment when he was leaving the shores of Canada to go to England to lay the foundations of confederation, and I ask him in the name of these minorities, if the government will live up to the solemn promises made at the pact of confederation.

The motion was agreed to, on a division, and the Bill was read the third time, and passed.

CONTINGENT ACCOUNTS OF THE SENATE.

Hon. Mr. THOMPSON moved the adoption of the Fifth Report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate. He said: This report has been before the Senate for some days. I did not anticipate when the report was brought down that there would be any objection to what it contained. The estimates were referred by the Senate to the Internal Economy Committee as they were prepared and appeared in the General Appropriation Act, and the committee have reported as follows:

That with due regard to the constitutional rights and practices of the Senate your committee would respectfully recommend that definite instructions be given to the clerk to the effect that salaries or other emoluments can only be paid to such officers, clerks, messengers and other employees of the Senate, whose appointments have been duly made or approved by the Senate, and whose salaries have been fixed in like manner, or to such employees temporarily appointed by your Committee on Internal Economy and Contingent accounts, in so far as your Committee have been authorized to act during recess in cases of emergency.

With respect to the estimate, it contained matter with which the Senate was not made cognizant. The estimate, as prepared by the House, was prepared entirely by the Committee on Internal Economy and Contingent Accounts. Every dollar of expenditure by the other branch of parliament is made under chapter 11 of the Revised Statutes, through the Internal Economy and Contingent Account Committee, of which the Speaker is chairman. So that all the estimates that are prepared for that branch of parliament and laid before parliament, practically, are originated by the Committee on Internal Economy and Contingent Accounts. In the Senate, as Bourinot states, the Committee on Internal Economy and Contingent Accounts has since the formation of the Senate, been the financial adviser in respect of expenditures that are being made by the Senate.

Hon. Mr. CASGRAIN—I rise to a point of order. This is clearly a money Bill, and it is for the Commons to vote this money.

Hon. Mr. POWER—It is the report of our committee.

Hon. Mr. CASGRAIN—I ask the Chair to rule.

Hon. Mr. THOMPSON—It is the report of the Internal Economy Committee in respect of the payments made by the Senate to the officials and officers appointed by the Senate under our constitutional right to do it.

The SPEAKER—I am not quite ready to dispose of the point of order without having it debated a little.

Hon. Mr. CHOQUETTE—I had an idea myself of raising that point. No. 1 item is all right, but when you come to speak of a salary in the estimates, which is not before this House, I think it would be out of order, and I will raise the point of order when we come to that. The first clause is in order, but others are not.

Hon. Sir MACKENZIE BOWELL—It is quite clear that, under this clause, the Senate would have the right to say how the money that has been appropriated by parliament shall be distributed and paid. If the point of order was raised that the Contingent Appropriations Committee had no right to deal with subjects not referred to them, then I could understand that there might be some force in that.

Hon. Mr. CASGRAIN—I will withdraw it for the present.

Hon. Mr. THOMPSON—It is a question as to whether this Senate shall discuss domestic matters.

Hon. Sir MACKENZIE BOWELL—Might I suggest that they take up this report clause by clause.

On clause 1,

(1) That, with due regard to the constitutional rights and practices of the Senate, your committee would respectfully recommend that definite instructions be given to the clerk to the effect that salaries or other emoluments can only be paid to such officers, the Senate, and whose salaries have been fixed in like manner, or to such employees temporarily appointed by your Committee on Internal Economy and Contingent Accounts, in so far as your committee have been authorized to act, during recess; in cases of emergency. The adoption of this recommendation shall constitute such instruction.

The SPEAKER—I think this first clause is quite out of order.

Hon. Mr. THOMPSON—The motion is for the adoption of the first clause.

The SPEAKER—I cannot put the motion if I declare it to be out of order.

Hon. Mr. THOMPSON—What is out of order in respect to it?

The SPEAKER—How does the hon. gentleman reconcile his recommendations with the law, which says that the employment of officers shall be made by the Speaker of the Senate on the recommendation of the clerk and be approved by the Senate. How is the hon. gentleman going to step in and put it out of the law and out of the hands of the Speaker of this House.

Hon. Mr. THOMPSON—This section does not in any respect abridge the power of the Speaker or clerk.

The SPEAKER—I want to know what the committee has to do during recess.

Hon. Mr. THOMPSON—Occasionally the appointment of pages before the House meets has been referred to this committee.

The SPEAKER—I deny the authority of the committee to act against the provisions of the law.

Hon. Mr. CASGRAIN—In support of my point of order I might ask if the Commons vote a sum of money, how can this committee prevent that sum of money be paid out.

Hon. Mr. DANDURAND—It is voted to the Senate.

Hon. Mr. THOMPSON—The Civil Service Amendment Act of 1908 has really disturbed our whole internal economy and domestic affairs in this respect. It has been assumed that this law has abridged the power of the Senate. In my judgment, no part of the law has interfered with the practice that has obtained since the Senate was formed in respect to confirming appointments, and the paying of salaries, which must be done with the approval of the Governor in Council. We already have the opinion of the Justice Department that, in the appointment of pages or other employees whose salaries are less than $500, the practice that obtained in the Senate prior to the passing of this Act still obtains. That would confirm the right of this House to confer on the Committee of Internal Economy the right to make certain appointments.

The SPEAKER—Where is that opinion to be found ?

Hon. Mr. THOMPSON—It is in the Journals of the House. This Act says that

heads of the departments, in addition to the ministers, includes the Speakers of both Houses. In the other branch of parliament the Speaker is the chairman of the Internal Economy Committee, and whatever recommendations he makes to the House are presented to the House, by the Financial Committee of the House and the estimates they prepare are sent to the Finance Minister for his approval. It is not a question of what the government may do with respect to the estimates of the Senate. Constitutionally, we are an independent branch of parliament, charged with the responsibility of determining for ourselves the legal and proper expenditure we shall make and the sum we shall draw from the revenues of Canada. If you will turn to section 2 of the Act you will see that it says: 'So much of this Act—the Civil Service Act—which relates to classification and salary shall apply' not to the creation of another official who has not been part of the official staff of the Senate, but to the permanent officers and clerks and employees of both Houses of parliament. That Act gives the Speaker of this House, and the Clerk of this House, the right to determine the classification of salaries of the permanent officers then in office. It does not give any right for the creation of new officers or the expenditure of a dollar except by the consent of the Senate. If you turn to section 45 of the Civil Service Amendment Act of 1908, you will see that that is the section which made us subject to the provisions of the Civil Service Act. I would also ask you to look at sections 5, 8 and 10 of paragraph 3 of subsection 1, and 21, 22, 24 and 26 of subsection 2, 32, 33, 36 and 37 of subsection 4. The power or application of this Act with respect to this House is confined to section 45, and that section does not give the right to the minister, as head of the department, power to make appointments. The section which entitles the minister to make appointments is section 39, and that section in no sense is made to apply to either branch of parliament. The committee have no desire to trench on the rights of any officer of this House, but when the time comes in the history of this parliament when the officers of this House can trench on the rights of the Senate, then it will come pretty near time for us to consider the whole question. This does not involve any personal reflections. It is simply a question of the application of the constitutional powers and privileges of the Senate, which should be exercised by the Senate with the full responsibilities that attach to it as an independent branch of parliament. We do not wish to encroach on the rights that are given to the Speaker of the House in respect to the nomination of an officer. The Civil Service Act leaves the Senate in exactly the same position it was in if the Act had not been made to apply in that respect. The first section does not interfere with the power of the Speaker, or his deputy; I cannot see that it is possible to object to its adoption.

Hon. Sir MACKENZIE BOWELL—This is the same old story that we have had every session. Under the Civil Service Act, nearly all the power and privilege formerly enjoyed by the Senate have been taken from the Contingent Accounts Committee. The Civil Service Act applies to the Senate precisely the same as it does to a minister. The Speaker represents a minister of a department and the clerk represents the deputy minister. Certain rules have to be gone through with in order to make any appointment. I fail to see in this Civil Service Act that the Internal Economy Committee have any power to interfere with matters of that kind. They may recommend. The question has suggested itself to me whether the Contingent Accounts Committee of this House has any power to deal with any questions other than that which is referred to them by the Senate. They may make recommendations. This first clause lays down what they term a constitutional right and privilege of the Senate. Where is their authority, except the power given to the Committee of Internal Economy to appoint a temporary employee? I fail to find it in the Act. They have no power to act except on such matters as are referred to them by the Senate. This clause implies, if it means anything at all, that improper payments have been made, or have been instructed to be paid by the Speaker. If that be not the conclusion to be drawn

from the wording of this clause, I can see no necessity for making such a recommendation. The Internal Economy Committee must have had some basis for coming to that conclusion and for making this report, otherwise it should not have been made. Say what you please, any one reading that report can come to no other conclusion than that some improper payments have been made by officials of the Senate.

Hon. Mr. THOMPSON—That is the report in reference to the estimates which contain amounts to be paid to the officials of the Senate. The only action the committee could take was to affirm some principle of which the Senate would approve.

Hon. Sir MACKENZIE BOWELL—The explanation bears out what I have said. If the committee had stated as a fact that money had been paid by officials without the authority of the Senate, then I could understand the reason for putting it there. It simply states that such and such payments should not be made.

Hon. Mr. THOMPSON—You will remember that the estimate that was before the House of Commons was before our committee. That estimate contained amounts to be paid to officials of the Senate, that had not been approved by the Senate. This affirms the fact that until they are approved by the Senate, although they appear in the Appropriation Act, this Senate will not consent to the payment.

Hon. Sir MACKENZIE BOWELL—That is the position I take, that the inference to be drawn from the wording of this clause is, that the moneys which appear in the Appropriation Act, and which were referred to the committee, had been paid to officials which had not been approved by the Senate.

Hon. Mr. THOMPSON—It has not been paid; it has been appropriated.

Hon. Sir MACKENZIE BOWELL—I fully concur in the spirit of the resolution, that no money should be paid to officials unless it has been recommended by the Clerk and the Speaker and approved by the Senate. The inference to be drawn from the wording of the paragraph is that such payments have not been properly made.

Hon. Mr. DANDURAND—Would not the hon. gentleman draw his inference far more easily by reading the paragraph that follows ?

Hon. Sir MACKENZIE BOWELL—The reason I did not refer to that point is, that I made the suggestion that the report should be considered paragraph by paragraph.

Hon. Mr. CHOQUETTE—The mover of the resolution to adopt the report has not discussed the whole report. I think the first clause is out of order, because it just declares a principle. It is declared that the Senate has a right to make the appointment, and that it is for the committee to say what the salary shall be. The committee are to make the report to the Senate on matters that have been sent to that committee. I think the clause can be accepted by this House and when the salary is asked for, then we can see if the appointment was approved by the Senate. When we come to the other clause I will take further objection.

Hon. Mr. McMULLEN—I think a certain latitude should be given to the Speaker and the Clerk of this House to make arrangements at the commencement of the session for things that are necessary. For instance, in the case of pages, they will be anxious to know whether they are going to be engaged, so as to make arrangements to attend. The Clerk of the House, along with the Speaker, should be in a position to say to these pages that they are going to be employed. It would never do to keep all these positions in an open condition until the Committee on Internal Economy meets. The Clerk of the House should have the right to fill any of these positions, and ask the Committee on Internal Economy for their approval.

Hon. Mr. WATSON—I think the Internal Economy Committee should have control of all the matters referred to in this report. In the past, authority has been granted to the chairman of that committee to see that the pages, messengers, &c., were provided during the recess. There has been a

sort of conflict ever since the Civil Service Act has been applied to the Senate staff. I believe the best interests of the Senate and staff could be served by the Internal Economy Committee dealing with all those matters referred to in the report. I do not see how any item in this report can be declared to be out of order, for the reason that all those matters in the report have been referred to that committee by the Senate. It is for the Senate to adopt or reject a report as they see fit. The committee have dealt with the matter as their best judgment directed. The control of our staff can be best arranged by that committee. If the Clerk and the Speaker are to direct all the affairs of the Senate, then the committee can be dispensed with at once.

Hon. Sir MACKENZIE BOWELL—I fully concur in the remarks of the hon. gentleman, but unfortunately we accepted the Civil Service Bill as it came from the House of Commons, which placed certain powers in the Speaker and Clerk, and they are in the same position as a minister of the Crown and a deputy head. They, therefore, deprive the Internal Economy Committee of the powers they formerly possessed and exercised. I quite agree that that committee should be placed in the position they occupied previously, but I say that they overstepped themselves in dealing with duties which belong to the Speaker.

Hon. Mr. DANDURAND—There is one function of the body which has its importance and which the hon. gentleman has not alluded to. It is that of the Governor in Council, which is the Senate. I have not examined this report in the light of the powers which have been given to his honour the Speaker.

Hon. Sir MACKENZIE BOWELL—I referred to that. I said the recommendation had to come from the Clerk to the Speaker and then be confirmed by the Senate.

Hon. Mr. DANDURAND—I always understood the recommendation come from the Clerk, or deputy Speaker, to his honour the Speaker, but these matters have been returned for discussion and concurrence by the Senate. I have always held that, although the Civil Service Act stopped there, when the Senate was seized with a report coming from his honour the Speaker, it was within its jurisdiction and power to refer the matter to any standing committee, the Internal Economy Committee, the Debates Committee, or any committee which would be most likely to deal with it more intelligently. It seems to me there is a control of the action of our ministers by the Senate, which takes the place of the Council.

Hon. Mr. BEIQUE—What seems to trouble his honour the Speaker is that he has assumed, with regard to the employees during recess, that they are to be under the control of the chairman of the Committee on Internal Economy instead of falling to the Speaker or the Clerk of this House. The Chairman may be entrusted with those duties. The first paragraph says: 'In so far as the Chairman may be authorized to do so.' So that it is open to the Senate to leave a part of these duties to either the Clerk or the Speaker of the House.

Hon. Mr. POWER—As there are some hon. hon. gentlemen in the House who are not familiar with the practice which has prevailed in the past, I think it may be well very briefly to state what it has been. Any hon. gentleman who looks at Bourinot will find it stated there that the Senate have been most jealous to control their own staff and keep their financial affairs in their own hands, and that the Senate have appointed a committee, which is now known as the Committee on Internal Economy and Contingent Accounts, which looks into all these questions and reports to the Senate. When the Civil Service Amendment Act of 1908 was introduced, there was a feeling on the part of a good many hon. gentlemen at first, that this Act interfered considerably with the control which the Senate had before that exercised over its employees; but when the hon. members of this House came to consider the question, they found that that was not the case. They found their action was a little more roundabout than it had been, but that the control remained still in their own hands. As it is now, if anything was to be done with respect to the salary of any officer who is receiving more

than $500, the first thing is that the clerk, who is the chief executive officer of the House makes a recommendation to his honor the Speaker, and his honor the Speaker submits that recommendation to the Senate, and the Senate is then in a position, just as is the Governor in Council, with respect to the various departments under the Civil Service Amendment Act of 1908, either to deal directly with the recommendation made by his honor the Speaker on the memorandum of the clerk, or if the members of this House feel that they are not sufficiently informed on the matter, not sufficiently up in the details, he may refer the matter to their Committee of Internal Economy and Contingent Accounts, which is a fairly large and intelligent committee. Some of the members, at any rate, have had a great deal of experience and know a good deal about the staff of the Senate, and they consider the matter referred to them and report back to the House with their conclusion. It has been the general rule, although not a uniform rule, that the House has accepted the reports of the committee, and it does seem to me that there is no reason why we should depart from that practice. The beginning of the report means that the Senate propose to retain in their own hands, and not to depute to his honor the Speaker, or anybody else, the right to deal with these matters which, in the past, have been dealt with on the recommendation, generally, of the Internal Economy Committee. The concluding portion of this paragraph of the report says:

> In so far as your committee have been authorized to act during recess; in cases of emergency, the adoption of this recommendation shall constitute such instruction.

I think the hon. chairman, perhaps, to a certain extent, exaggerated the importance of this provision. It has not been the practice to leave the payment of messengers, or pages, to the chairman of the committee. The practice has been, as a rule, that the committee, before the close of the session, in their last report, recommend the appointment of additional pages, &c., and the same way with respect to messengers, but the committee have generally embodied in their report a recommendation that, in case any emergency should arise, before the committee is constituted at the next session of parliament, then the chairman of the committee should have the right to act pro tem, and I do not think that is an objectionable provision. Here is the report of the committee adopted by the House on the 2nd of September, 1910:

> Your committee would recommend that during recess any vacancy necessary to be filled, or appointment absolutely necessary, which under the opinion of the Justice Department does not come within the provisions of the Civil Service Act, shall be made by the Chairman of the Committee on Internal Economy and Contingent Accounts subject to the confirmation of the Committee at the next session of parliament.

That is just what I stated the practice was. The question is whether this House shall retain the control exercised ever since the Senate was a Senate, or whether it will abandon that and allow it to pass into the hands of some other party.

The SPEAKER—I would ask the hon. gentleman if he will give me till to-morrow.

Hon. Mr. POWER—We have spent a great deal of time over this thing.

Hon. Mr. THOMPSON—I cannot appreciate that there is any point of order where the matter has been referred to the committee by the Senate. I have taken the point of order. It is the old fight over again. Last session the other Speaker had the same controversy going on, and we should settle it once for all, whether the Senate are going to rule, or whether the Speaker and the Clerk will rule. Both cannot rule.

Hon. Mr. WATSON—There should not be any conflict at all.

Hon. Mr. THOMPSON—I do not see how there can be any conflict. It has been stated by the hon. gentleman from De Lorimier that, in so far as the power of the Senate has been abridged by the Civil Service Act, it has only been in allowing the Clerk to suggest in writing to the Speaker that certain estimates should be made. The moment the Clerk has done that, and the Speaker has reported to the House, these gentlemen are all through. They can recommend the salary, and the

Senate then becomes seized of the whole proposition as completely and fully as they ever were prior to the passing of this Act. There cannot be any doubt about that. Then in respect of appointments in which there is no abridgement of power of the Internal Economy Committee under the Act, the Act does not touch that class, as will be seen from the Journals of 1910, where the opinion of the Minister of Justice will be found:

> I do not think the Civil Service Amendment Act of 1908 has, in relation to the Senate, any application to employees such as charwomen and pages, whose work is of a temporary character, and whose rate of pay is less than than $500 per annum.

The Speaker and the Clerk, so far as the Act is concerned, do not touch that class ot employees, and as has been read by the hon. gentleman, the appointment of certain of the employees during recess—and this report only refers to that fact—is authorized by the section, and shall still continue to be made, and they shall be paid by the Clerk out of the moneys in the hands of the Senate for that purpose. We are not affirming any new principles. We are simply establishing the fact, and I think it is the absolute duty of the Senate that we should assume the responsibility as an independent branch of parliament, without having to confer with the Finance Minister of Canada, or with the members of the government with respect to the amount of money we should require. I think it is only proper we should maintain the dignity of the Senate and assume the entire responsibility. This report does not infringe on anybody's rights.

Hon. Mr. CASGRAIN—I have raised the point of order and submitted it to the Chair, and the Chair has asked the Senate if they will allow him sufficient time in order that he may decide on this point. I have never known, during the 14 sessions I have been attending here, such a request to be refused. The Speaker desires to defer judgment, perhaps to consult authorities, and this is not a matter of general moment.

Hon. Mr. BAIRD—It has been standing a month.

Hon. Mr. WATSON—It is a new situation when we find the Speaker is in conflict with the House, and the Speaker is going to make a ruling. Personally, I am prepared to vote against the Speaker on this matter.

Hon. Mr. BAIRD—I always feel inclined to support the report of the committee. They have charge of certain duties. They bring down their report, and no doubt they have inquired into all matters connected with it, and surely it is worth something to the Senate to have the report before them. The Clerk has made certain recommendations to the Speaker and the Speaker has referred them to the Internal Economy committee for report.

The SPEAKER—Not a single one of my recommendations have been brought before the House.

Hon. Mr. BAIRD—However, the report is before us to be dealt with, and it seems to me the recommendations have been adopted.

The SPEAKER—Not a single one.

Hon. Mr. BAIRD—It is a question whether this House has the right to make the recommendations, or his honor the Speaker. We have had this matter before us for a great many years, and the Senate has always reserved the right to make this recommendation. These recommendations have been made by the Committee on Internal Economy, and I for one feel like supporting it.

Hon. Mr. POWER—I do not see how any question of order can arise in this case, but as the hon. gentleman from De Lanaudiére thinks there is a question of order, if the Speaker feels so doubtful about the question that he requires time to consider it, I think it would be discourteous not to agree that time should be given, but inasmuch as the consideration of this report has been put off already some three or four times at the suggestion of his honor the Speaker, we should have from him a statement that he will give his decision tomorrow when the House opens, at the first sitting.

The SPEAKER—It was not at my request that the item was postponed. I never made such a demand.

Hon. Mr. CHOQUETTE—I made the request.

Hon. Mr. POWER—I beg the Speaker's pardon. I was otherwise informed.

The SPEAKER—I made two or three recommendations, and they were referred to the committee and they are keeping them. They are not reported to the House, and they come here and ask permission to do what? To give orders to the Clerk to pay such employees temporarily appointed by your committee. They want to have the power to name them.

Hon. Mr. DANDURAND—No, I draw the attention of his honor to the fact that these matters were referred by the Senate.

The SPEAKER—Yes, but these other matters were not referred by the Senate.

Hon. Mr. POWER—I have expressed a willingness as one of the members of the House to let the matter stand over if his honour will give his decision at the first sitting to-morrow.

The SPEAKER—I cannot bind myself to the first sitting, but I will render a decision to-morrow.

Hon. Mr. DANDURAND — Since his honour the Speaker will take it into consideration, I draw attention to the fact that the principle laid down in the first clause seems to cover the case raised in this Chamber and raised in this resolution, of the appointment of a secretary by his honour the Speaker, and as to his right to do so. I mention this because there is here a question which affects his honour the Speaker, and where he may claim from the floor of this House that he has a right to appoint the secretary without consulting the Senate, and if he has that right, then his first resolution encroaches on that right if he has such right. The hon. Speaker would be, in settling this point, further affirming his right which is contested by this resolution, and I wonder if he will be put in this false position, or if he will not prefer to leave the Chair, and have the matter decided by some one in this Chamber, or have it decided by the House.

Hon. Mr. THOMPSON—I move that the order of the day be discharged, and that it be placed on the order of the day for the first sitting to-morrow, to be the first order after third readings.

Hon. Sir MACKENZIE BOWELL—The fourth paragraph refers to the payment of employees and recites a clause of the Civil Service Act. I think, if the hon. gentleman will look at the clause, he will find it does not apply. That only applies to the payment of permanent officers, and not temporary officers.

The motion was agreed to.

THE SENATE DEBATES.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. ELLIS moved the adoption of the second report of the standing Committee on Debates and Reporting of the Senate. He said: The only change is that while the sum to be paid to Mr. Holland is ten thousand dollars, the reporting of the Divorce Committee is to be extra. The second paragraph deals with the appointment of Mr. Hannay, and continues him as our press reporter, and also recommends that Mr. Cinq-Mars be continued as the reporter for the French newspapers.

Hon. Sir MACKENZIE BOWELL—Is it proposed to continue the practice in the past in regard to the reporting?

Hon. Mr. ELLIS—The difference is that the reporting of the Divorce Committee will be a separate charge.

Hon. Sir MACKENZIE BOWELL—I think I was the first member of the committee to suggest the appointment of an official reporter, believing at that time that it would be the means of having the proceedings of the Senate published in the newspapers. I have come to the conclusion now, from the reports which appear in the newspapers of the country, that the proceedings of the Senate are not considered by the press of such a character as to justify the payment of a reporter to prepare press

reports. I wish it to be understood distinctly that I am not finding fault whatever with the reporter. From what I have ascertained, I believe that he prepares a very good synopsis of the proceedings, but the newspapers do not consider it of sufficient importance to publish it, and if that is the case I do not see why we should be at the expense of a service from which we receive no benefit.

The motion was agreed to.

AID TO AGRICULTURE BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (100) An Act for the Aid and Encouragement of Agriculture.

He said: The purpose of this measure is that a special grant be made annually by the Dominion government to be distributed pro rata amongst the provinces, on the basis of population, to aid agriculture. It has been discussed very much of late in the press and in the House of Commons, and it is not necessary for me to deal at length with it.

Rt. Hon. Sir RICHARD CARTWRIGHT —Does it state the amount of the annual grant?

Hon. Mr. LOUGHEED—No.

Rt. Hon. Sir RICHARD CARTWRIGHT —That is one of the subjects with which you are entitled to deal under the British North America Act. Practically there are only two clauses in the Bill.

Hon. Mr. POWER—The hon. leader of the government said the Bill provided the grant to be distributed pro rata.

Hon. Mr. LOUGHEED—No, it is the intention of parliament to vote a sum annually to be distributed in the way mentioned. I might say, for the information of my hon. friend, that clause 2 of the Bill is the same, practically, as clause 3, in phraseology, of the Highways Bill, and it is proposed to make this distribution in practically the same way as it is proposed to make it under the Highways Bill. The matter is to be taken up with the provincial governments but with that fundamental principle that the distribution shall be on the basis I pointed out—population. It is purely for the promotion of agriculture.

Hon. Mr. BOSTOCK—Is anything said about its application?

Hon. Mr. LOUGHEED—It is difficult to outline what its application may be. One province may desire it applied in a particular way and another differently, but it would have to be the result of mutual arrangement between the two governments. It is to co-operate with the population in promoting the best interests of agriculture.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is a very great distinction between this and the Highways Bill, inasmuch as agriculture is one of the subjects assigned by the British North America Act to the federal parliament, and they have the full right to deal with it, and everybody will desire to see agriculture aided in every way and shape that it can be done.

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

At six o'clock the Speaker left the Chair.

After Recess.

THIRD READING.

Bill (77) An Act to encourage and assist the Improvement of Highways—Mr. Lougheed.

THE CANADIAN NORTHERN ALBERTA RAILWAY AID BILL.

IN COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (144) An Act respecting aid towards the construction of the Canadian Northern Alberta railway.

(In the Committee.)

Hon. Mr. LOUGHEED—In 1910 legislation was passed to assist the Canadian Northern Alberta Railway Company in the building of a certain line. After the passing of the Act, it was found in the interest of the road to divert a portion of it. The Act made provision for the construction

of the line at a point at or near Edmonton or Strathcona, in a generally western direction.

Hon. Mr. POWER—This was the original charter.

Hon. Mr. LOUGHEED—Yes, at or near Brazeau, and the head waters of McLeod river for a distance not exceeding 150 miles. The government was to guarantee $13,000 per mile for the first fifty miles, and for the remainder $25,000 per mile on such debentures, or securities as the company might issue. It was afterwards determined to change the route of the line, and not to build to the Brazeau coal area. The last 34 miles was, accordingly, changed in a westerly direction towards the Yellowhead Pass, and now forms part of the transcontinental line of this particular railway. The debentures, or securities, have been sold and realized upon, and a trust mortgage was entered into in persuance of the first legislation. The Act provides for the change of route so as to have these securities applied to the first 150 miles of the main line. The change has taken place with the consent of all parties interested in the securities; consequently, there is practically no change of position so far as any of the parties interested are concerned. It is in pursuance of legislation passed in 1910.

Hon. Mr. DAVIS—Have we anything to show that the bondholders are satisfied?

Hon. Mr. LOUGHEED—The government are satisfied that all parties interested have been duly protected, and have given their consent. Notice was sent out by the British Empire Trust Company to all the debenture holders, and consents have been received from 92 per cent of them. No objection has been received from any debenture holder.

Hon. Mr. POWER—I should like to know from the hon. leader of the House what assistance the government are giving the company. This is just one section of the Canadian Northern.

Hon. Mr. LOUGHEED—Yes. The government have guaranteed the securities of the company to the extent of $13,000 per mile for the first fifty miles, and from that point westward $25,000 per mile. That would practically make it part of the Mountain section. They have taken a first mortgage upon the road, so that I think no question can possibly arise as to ample security being held by the government.

Hon. Mr. BOSTOCK—Is that a guarantee of interest as well as principal?

Hon. Mr. LOUGHEED—They guarantee the principal and interest of the bonds, debentures, or whatever security may be issued. If the company make default in payment of the principal, the government would be liable, but they have the security of a first mortgage on the road.

On clause 3,

Hon. Mr. POWER—I hope that when the government come to have this mortgage executed, they will see that it is in proper shape. It has sometimes happened that that has not been attended to.

Hon. Mr. LOUGHEED—I may say that if the word 'implement' should happen to be in the mortgage, due force will be given to it.

Hon. Mr. WATSON—Will this cover the stations and terminals?

Hon. Mr. LOUGHEED—Yes, it will cover the whole of the line.

On clause 6,

Hon. Mr. POWER—I may be pardoned if I make a few remarks that occur to me, although strictly they should have been made, perhaps, on the second reading. The policy of the government of aiding, as they did very generously, the Canadian Pacific railway, to build a line to and across the prairie and through the mountains to the Pacific, and after that, devoting a great deal of public money to constructing a second line across the country, the principal object being, I take it, to give a back country to Quebec and Ontario, so that Canada should not be a mere fringe on the northern border of the United

States, has something to defend it, but those two roads having been constructed one of them in operation, and the other one about going into operation, I really don't see any justification for the policy of this country expending money in order to help another company to compete with those two. If another company consider there is money in the business, they should be allowed to go into it, but I do not think the country should subsidize another line to compete with those we have already helped. So far as I am aware, there is no other country in the world which has adopted the policy that Canada has followed in respect to railways and other public works. We make a practice of building public works, paying for them, practically altogether, and then allowing them to be the property of companies. For instance, there is a measure now before parliament for the construction of dry docks; it is on the same principle as that which relates to the construction of our railways; substantially the country will build the dry dock, and then the company will own it.

Hon. Mr. THOMPSON—From the committee, reported the Bill without amendment, and it was read the third time and passed.

PRISONS AND REFORMATORIES ACT.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill (166) An Act to amend the Prisons and Reformatories Act. He said: This is a Bill which will only have application in the province of British Columbia. The purpose is to extend to the Industrial School for Girls, for which the British Columbia legislature has just made provision, the same privileges and rules as already are under the Prisons and Reformatories Act applied to institutions in Ontario, Quebec and Manitoba. The clauses contained in the Bill are precisely similar to clauses which are in force in the other provinces I have mentioned in relation to similar institutions, as I am informed by the Minister of Justice.

The motion was agreed to.

(In the Committee.)

On clause 1,

Application to British Columbia only; respecting conviction of girls under the age of 16 years, their detention, care, discharge, etc.

Hon. Mr. BOSTOCK—I see that this only applies to girls. Is there any reason why it should not be applied to boys as well?

Hon. Mr. LOUGHEED—That is because this is a girl's school.

Hon. Mr. BOSTOCK—I see in Manitoba it applies to boys only.

Hon. Mr. LOUGHEED—In some cases those institutions are for boys and in others they are for girls. In a girl's institution we make it applicable.

Hon. Mr. BOSTOCK—There is no Act applying to boys in British Columbia.

Hon. Mr. LOUGHEED—I am not aware of that. This school has been specially built for girls by the province of British Columbia.

Hon. Mr. DANIEL, from the committee, reported the Bill without amendment. The Bill was then read the third time, and passed.

EXCHEQUER COURT JUDGES' ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill (168) An Act to amend the Exchequer Court Act. He said: The object of this Bill is to appoint an assistant judge to the Exchequer Court. This is a subject which has been discussed in this House many sessions.

Hon. Mr. POWER—Yes, I think we threw out a Bill of that kind.

Hon. Mr. LOUGHEED—More particularly in view of the fact that it has been urged that a French Canadian judge should be appointed to the Exchequer Court, on account of the necessity therefor. This Bill, therefore, provides that there

shall be an assistant judge appointed, and that he shall have all the powers and jurisdiction and authority of the court; it provides also that nothing in this section shall affect the power of the registrar in respect of any question. Certain jurisdiction is given the registrar now, and it is provided that that jurisdiction shall continue to be exercised by the assistant.

Hon. Mr. CLORAN—Does the Bill specify that the assistant judge shall be French?

Hon. Mr. LOUGHEED—No.

Hon. Mr. CLORAN—The reason I ask is that a judge is required who at least understands French.

Hon. Mr. POWER—The present judge understands French.

Hon. Mr. CLORAN—Not well enough.

Hon. Mr. LOUGHEED—My hon. friend will see the propriety of not mentioning the nationality of the assistant judge. It is understood the new judge will be French.

Hon. Mr. CLORAN—The hon. leader understands that some of our colleagues have insisted on this measure for some years past. If the present judge, or any judge, on the circuit understood the two languages there would be no necessity for an assistant.

Hon. Mr. DANDURAND—I would decidedly object to this qualification being placed on the appointment of the assistant judge, because I would hope that in due course the senior judge of that court could be taken from the province of Quebec as well as from any other province, and in that case the assistant judge would be taken from another province and would be English speaking.

Hon. Mr. BELCOURT—Is provision to be made in the estimates this year for the salary of the assistant judge in the Exchequer Court?

Hon. Mr. LOUGHEED—While I cannot say with certainity, I fully expect so. I understand the appointment will be made at an early date.

Hon. Mr. LOUGHEED.

Hon. Mr. BELCOURT—Was there not something said in the other House in regard to that?

Hon. Mr. LOUGHEED—I do not know.

Hon. Mr. CAMPBELL—I should like to ask my hon. friend whether they cannot utilize the services of some of the judges already appointed, instead of appointing a new judge to the position. I speak particularly of the province of Ontario, because I know we have a great many more judges than are needed there, particularly the junior county court judges. It is a scandalous thing that we have two judges for nearly every county, and there is not work enough for one man half the time. It is a crying shame that neither one of the county judges has work to do one quarter of the time in many cases.

Hon. Sir MACKENZIE BOWELL—That applies only to county judges.

Hon. Mr. CAMPBELL—The senior judge of the county of Kent told me repeatedly a good many years ago that he would a great deal rather there was not a junior judge there, because he said: 'I have not half enough to do.' That applies to Essex, Kent, Lambton, Middlesex, Elgin and nearly all the counties, and there are only one or two counties in Ontario where two judges are really necessary. In York county there is work for two, because it is a large county, and I think there is work in Wellington. I understand that in the higher courts the work is somewhat congested, and the judges of the higher courts in the province of Ontario have all the work they can do, but it seems to me a proper thing that some of the judges that are drawing comparatively large salaries, and have scarcely anything to do should be appointed to this position instead of selecting a new man and paying an additional salary.

I do not know the conditions in the province of Quebec, but I venture to say that in the province of Quebec, and other provinces, the conditions are somewhat similar to what they are in Ontario. The charge for the judiciary of this country is getting to be a serious thing. The new government ought to take some means to remedy

this state of affairs. A great many of our county court judges could be dismissed without doing any injury, and some of them might be appointed to higher positions when they become vacant.

Hon. Mr. POWER—I have grave doubts as to the fact that the present judge of the Exchequer Court is overworked; I do not think he is. There has been no substantial evidence to show that he has been overworked. The present judge understands French, and I do not think any serious difficulty has arisen owing to the fact that he is not a Frenchman born. Of course, the government are economical—that is one of the lines they have taken. If they wish to show sound judgment and economy, I think they will give this appointment to Judge Dugas, who has just been retired from the Yukon bench, and who is a Frenchman and a good sound lawyer. They will save his retiring allowance and get a good man for the position.

Hon. Mr. CASGRAIN—The hon. gentleman from North York (Mr. Campbell) says the judges in Ontario have not enough to do. I have often been called upon to give expert evidence before the Exchequer Court. The Exchequer Court has a lot of technical work to do. In one instance they had the case of the Quebec, Montreal and Southern railway that occupied some two years, and required a great deal of work. A great majority of their work is technical work, requiring considerable knowledge of different matters. I was an expert witness in a case before the late Judge Burbidge in Montreal. The lawyers and witnesses were French. The Registrar of the Court told the lawyers that there was no use addressing the court, because he did not understand French. One lawyer told him that he had retained the services of an English-speaking lawyer, the Hon. F. D. Monk, but that he was engaged in another case and could not be present. There were some 40 witnesses, and the judge said he had to proceed. After considerable delay, it was decided to bring in an interpreter, and that was done, and the court sat until 1 o'clock at night trying to get through. Very often the translation could not possibly be correct. Not very long ago a man named Boucher, who is the engineer in charge of the government buoys on the St. Lawrence, was called as a witness and wished to give his evidence in French. The judge asked him to proceed in English. An election was on about that time and it was considered a crime to have a judge hearing a case in the province of Quebec who could not understand French, and I was assailed for supporting a government that would do such a thing as to have a witness speak in a language with which he was not familiar. When Judge Burbidge was hearing a case in the Yukon, involving a million dollars, it had to be adjourned. He was away for two months, and the parties had to remain until he returned. The judge of the Exchequer Court goes from one end of the country to the other, and how can justice be administered here in Ottawa when he is away?

Hon. Mr. BELCOURT—I introduced a measure of this kind looking to the appointment of an assistant judge in the Exchequer Court. There is plenty of work for two judges. I do not think His Lordship, Mr. Justice Cassels, would say that he feels himself absolutely competent to hear a case and do justice to the parties where the witnesses speak in French. I am satisfied that he will welcome the appointment of an assistant. I quite agree with my hon. friend from Toronto (Mr. Campbell) that the matter of county court judges in Ontario is one which should receive the very earnest and serious consideration of the administration. There are counties where there is not sufficient work for one judge, let alone two. The matter is quite worthy of very serious consideration. I do not quite agree with him that the judges of the county courts are available to do work which would devolve upon an assistant judge in the Exchequer Court. An Exchequer Court judge is called on to administer federal laws and he must be familiar with the laws relating to patents and other subjects of federal jurisdiction, and it is very important that there should be in a court of that kind continuity of jurisprudence, and it would not do to ask the judge of the

county court of Carleton to take one case and the judge of another county to take another in the Exchequer Court.

Hon. Mr. CAMPBELL—You could take the best judge from the county court and promote him to the Exchequer Court.

Hon. Mr. BELCOURT—I do not see any great objection to appointing one of the county court judges to the position of assistant judge of the Exchequer Court. In this particular case it could not be carried out, because they are desirous of securing a judge who is competent to hear evidence in French. I do not urge that a French Canadian should be appointed to this position, but I do submit it is absolutely necessary that one of the judges of the Exchequer Court should be fully conversant with the French language. This Bill has my hearty support. I think it is an absolute necessity, and has been for some years, that an additional judge should be appointed. I do not think the High Court judges of Ontario have any spare time, but some county judges do not try any more than three or four cases in a year.

Hon. Mr. McHUGH—My idea as to the appointment of county court judges is that the federal government has nothing to do with creating the position. The local government creates the position, and the Dominion makes the appointment. You can not remove these judges without putting others in their places.

Hon. Mr. BELCOURT—The hon. gentleman is quite right I intended to say that it was a matter for discussion between the federal government and the Ontario government. They are friendly, and now is a good time to take up the whole matter.

Hon. Mr. CLORAN—The question which has been put by the hon. gentleman from Lindsay (Hon. Mr. McHugh) is quite right. The experience of Quebec has been in the other direction. Our provincial legislators some years ago demanded the nomination of three extra judges. It is well known that in the city of Montreal the judges are up to their ears and over their heads in work and it takes three years in some cases to have a case on the roll tried. That is altogether a different position from the work of the judges in Ontario. We have had that law on our statute-book for the past several years, and the late Liberal government never filled those positions, notwithstanding the absolute need of extra judges in the city and district of Montreal, and I am not exaggerating when I say that a citizen who brings suit to recover damages, or protect his interests, cannot be heard within anywhere from two to three years, and all for the want of a sufficient number of judges to hear cases. The rooms in the court house in Montreal are occupied by judges and ten to fifteen cases placed before them every day, I cite this case to show that although the legislature creates the position, the government has not decided in all cases to fill them. If vacancies occur in Ontario in future, and I suppose they will in the ordinary course of nature, it is in the power of the government not to fill them. They have followed that course in Quebec. Where business demands the appointment of a judge they have refused to fill the position. The hon. gentleman from York mentioned half a dozen counties up west where they had nothing to do. The same thing occurs in the east. Prescott and Russell are in the same position. They have two judges in Leeds and Grenville, where my hon. friend beside me resides, and they do not know what to do. They are on boards of charity and missions.

Hon. Mr. DERBYSHIRE—They are a fine pair of men.

Hon. Mr. CLORAN—They do nothing.

Hon. Mr. DERBYSHIRE—They do lots of work.

Hon. Mr. CLORAN—I am in sympathy with the hon. gentleman from Ottawa in pointing out that they have a real duty to perform towards the public in this matter, that when such vacancies occur, and it is not necessary to fill them, they should not be filled.

Hon. Sir MACKENZIE BOWELL—This whole discussion arises out of the proposition to appoint an additional judge on the Exchequer Court. The hon. gentleman from York calls attention to the fact

that in many sections in Ontario—and that is confirmed by the hon. gentleman from Ottawa—the judges have not enough work to do. I have no doubt that this statement is correct. My own county is 100 miles long and 30 or 40 miles wide, and there is quite enough for the senior and junior judges to do. But I am not so sure that the government are not to blame for the appointment of many of these men. My recollection carries me back to a time when a law was passed by the Mowat government of Ontario declaring that no junior judge would be appointed unless the county to which he was to be appointed had a certain population. Immediately after the coming into power of the late government that law was repealed, I will not say for what reason, but I know what followed. They began to appoint junior judges all through the western provinces. My hon. friend has conveniently forgotten that. It is one of those events which is apt to fasten itself upon the mind of a newspaper man. Some years ago, when, as a layman, I gave some little attention to the position of judges in the province of Quebec, I found that, while the judges in the district of Montreal were overworked, and it was almost impossible to keep abreast with the number of cases constantly brought before the courts, there were a number of judges allotted to certain districts in the lower part of the province of Quebec, who really had nothing to do, and when Mr. Chase Casgrain was Attorney General for the province of Quebec, he tried to change the mode of allotting them, and to concentrate the judges in the district of Montreal, so as to avoid the necessity of appointing extra judges. I know one case came under my notice in the Gaspé district where the judge was living in the city of Quebec in violation of the regulation which governed the appointment of judges at that time, which provided that a judge should live in the district in which he was appointed.

Hon. Mr. CLORAN—That is correct.

Hon. Sir MACKENZIE BOWELL—In this case the judge had but one suit brought before him, and he paid the debt himself rather than take the trouble of going down to try it. These facts were impressed upon my mind so strongly that I was not apt to forget them It struck me that if the system proposed by Chase Casgrain had been put in force and the system of local judges had been adopted, as was the case in Ontario, the country would have been saved much expense. I gave a great deal of attention and study to the question, not studying the law, but the facts connected with the appointment of judges, and I quite agree with the hon. gentleman from York that in Ontario there are a number of counties in which the junior judge is altogether unnecessaary and the expense should not be incurred. I hope this government will not follow the example of the government they succeeded and appoint judges where they are not required. I hesitate not to say, and the statement is confirmed by my hon. friend, that it is little less than a crime to make appointments which are absolutely unnecessary.

Hon. Mr. DANDURAND—I admire the memory of my hon. friend who recalls this case from Gaspé, which was cited when my hon. friend was in the other Chamber. That was an extreme and exceptional case, but he is right in stating that there are many judges in Quebec who have not very much work to do, while the Montreal judges are overworked. I was surprised to hear that the same situation prevailed in Ontario. Some efforts should be made to try and remedy the evil which was pointed out by my hon. friend from Montreal, because Montreal is in dire need of three more judges in the Circuit Court of Montreal, which is similar to the Ontario County Courts. There is in Montreal a very large population, but we have to face political conditions in Quebec as in Ontario, very likely. The old idea of decentralization is firmly rooted in the county rural parts, and it is hard to persuade the members who rely on popular sentiment to alter the system when they have to face the opposition of their own electors.

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

BANK ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (169) 'An Act to amend the Bank Act.' He said: The object of this Bill is to extend the charters of the Canadian banks, which will expire on the 1st of July next. It also provides for the enlargement of the time for the emergency circulation. As you know, between the 1st of October and the end of January the banks can now issue an emergency circulation of 15 per cent upon their reserves, or their capitalization. It is proposed to enlarge this time from the 1st of September to the end of February, in fact giving two additional months. During this time the crop is being moved, and it is regarded as necessary that this additional time should be given so as to admit of the emergency circulation being called in. I might say that it is the intention of the government at the next session of parliament to bring down legislation consolidating the Bank Act, and otherwise amending it. In the meantime, it is proposed to overcome the absence of any legislation in that direction by extending the bank charters.

Hon. Mr. BELCOURT—Merely temporary legislation.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. CAMPBELL—I see in the schedule to this Act that you are renewing the charter of the Farmers' Bank of Canada. Now the Farmers' Bank is a defunct institution. The charter is dead; they have made an assignment.

Hon. Mr. LOUGHEED—Yes, but it is necessary to keep the charter alive for the purpose of winding up.

Hon. Mr. CAMPBELL—I hope when the government bring down their Bank Act that they will be careful to provide that there shall be some system of government inspection.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. CAMPBELL—Take all the banks that have failed in Canada since confederation, and I venture to say there is not a single one of those failures that might not have been prevented, or the suffering and loss of the people prevented to a large extent if there had been some inspection at the head office. It has been objected that a bank having 175 branches could not be inspected, as it would be impossible to visit all those branches; but the government need not inspect a single branch, only the head office, because the history of all the failures shows that the rascality was perpetrated in the head office of the bank.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. CAMPBELL—The branches are all taken care of by the head office, which sends out its inspectors, and no trouble ever arises at the branches; but the head offices are never inspected except by their own inspector, who is under the control of the general manager and the board of directors, and the general manager is usually supreme in all these bank matters. It would have a very deterring effect on the general manager if he knew that an inspector might come in at any time and examine his books. Another thing that could be done is to require the banks, when they send in monthly sworn statements to the Finance Minister, to send also copies of reports sent by branches to the head office. In this way trouble in any branch could be traced, and this would greatly facilitate the care and supervision the Minister of Finance must exercise. While not speaking from experience, I venture to say that not one dollar of loss in the Sovereign Bank need have occurred if the head office books had been inspected. The trouble has always been in the head office, and a thorough system of inspection there would have saved the depositors the loss of their money.

Hon. Mr. POWER—I would suggest that the committee stage of this Bill be postponed until to-morrow, so that hon. members who are bankers, or connected with banking matters might be present.

Hon. Mr. CLORAN—I have been asked by a prominent merchant in Montreal to inquire whether the paper twenty-five

cent shin plasters, as they are called, are being issued. I am informed that these are issued without number and signature, and practically without control. If that be so, it is a serious condition.

Hon. Mr. LOUGHEED—I shall inquire into that matter.

The Bill was read the second time.

FIRST READINGS.

Bill (171) An Act to amend the Militia Act.—Hon. Mr. Lougheed.

Bill (165) An Act to amend the Criminal Code.—Hon. Mr. Lougheed.

Bill (150) An Act respecting the Harbour Commissioners of Montreal.—Hon. Mr. Lougheed.

SECOND READING.

Bill (171) An Act to amend the Quebec Savings Bank Act.—Hon. Mr. Lougheed.

The Senate adjourned until to-morrow at 11 o'clock.

THE SENATE.

WEDNESDAY, March 27, 1912.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and Routine Proceedings.

CHINESE AND JAPANESE IMMIGRATION.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

Has the government been asked by the government of British Columbia to take any steps towards stopping the immigration of Chinese and Japanese into Canada? If so, what steps have been taken by the government to meet the wishes of the government of British Columbia as to this matter? Have any regulations been adopted to deal with it?

Hon. Mr. LOUGHEED—There is no record of such correspondence having been received in the Department of the Interior.

WATER RIGHTS IN BRITISH COLUMBIA RAILWAY BELT.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

When does the government intend bringing down the legislation which they declared to be necessary to supplement the order in council passed on December 20, 1911. Transferring the administration of the water rights in the Railway Belt of British Columbia, from the Dominion government to the provincial government of British Columbia?

What form will this legislation take?

Is the government aware that the provincial government published in the British Columbia 'Gazette' of February 10, 1912, a notice for both the Yale water district and the Kamloops water district, giving the names of the lakes, streams and rivers in each of these districts, which are supposed to be wholly or partially within the Railway Belt in each district, calling upon any person, partnership, company or municipality having any claim to water rights in the Railway Belt to file a statement of claim to water privileges according to a certain form?

Can the government state what authority the provincial government has to deal with this question as it stands at the present date?

Hon. Mr. LOUGHEED—A Bill providing for the administrative rights of the Water Powers in the Railway Belt, has been introduced in the House of Commons.

TIDES AND CURRENTS OF NORTHUMBERLAND STRAITS.

MOTION.

Hon. Mr. DOMVILLE moved:

That an Order of the Senate do issue for copies of all reports in connection with the tides and currents of the Northumberland Strait, together with any data in the way of maps or tables showing the rate of currents and tide elevation, and also any reports that may have been made in connection with the condition of ice during the winter time, or the record of the running of boats between Pictou and Georgetown, or the operation of government boats between any other points in the strait in the winter time. The fullest account from a hydrographic point of view as from a navigation point of view.

The motion was agreed to.

SUBSIDIES TO RAILWAYS AT PRINCE ALBERT, SASKATCHEWAN.

INQUIRY.

Hon. Mr. DAVIS inquired:

If the government intended, during this session, to grant a subsidy for the construction of

a railway between the city of Prince Albert, Sask., and Spit Lake, on the Hudson Bay railway, or from Prince Albert, Sask., direct, to one of the ports on Hudson bay.

Hon. Mr. LOUGHEED—No, it is not the intention of the government to grant a subsidy to this company.

CONTINGENT ACCOUNTS OF THE SENATE.

CONSIDERATION OF REPORT POSTPONED.

The order of the day being called:

Consideration of the fifth report of the standing committee on the Internal Economy and Contingent Accounts of the Senate.—Hon. Mr. Thompson.

The SPEAKER—Can the hon. gentleman give me information as to the order of reference to the Internal Economy Committee of the different subjects which form part of this report? I have looked in the minutes but could not find much about it; perhaps the hon. gentleman can help me by giving me the dates. I find one: On the 14th of March it was ordered that the salaries and contingencies of the Senate, under the head of legislation, and to be found on page 39 of the estimates made before parliament, were referred to the committee.

Hon. Mr. THOMPSON—I do not think there is any other motion but that.

The order was allowed to stand until the next meeting of the House.

THE AID TO AGRICULTURE BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (No. 100) An Act for the aid and encouragement of Agriculture.

(In the Committee).

On clause 2,

The Governor in Council may, in any year, and upon such terms and subject to such conditions as are prescribed by order in council, grant to any province, for the encouragement of agriculture, a subsidy not exceeding such sum as may in such year be voted by parliament for that purpose.

Hon. Mr. POWER—In order that the Senate may be consistent in its action, I propose to move an amendment to this clause similar to the one that was moved to the third clause of the Bill respecting highways. The government, apparently, have decided to make the appropriations both for highways and for agriculture in proportion to the population of the several provinces. That is very satisfactory, but we would better have the thing in permanent form so that, what the government have thought is the right and proper thing to do this year, may be done every year. Governments, after all, are something like ladies—they have the privilege of changing their minds, and they sometimes do. Of course, this is not a matter of such vital importance as to the Highways Bill; it is not a question upon which a very direful conflict need arise between the two Houses. I therefore move:

That clause 2 be amended as follows: line 7, strike out 'any province' and substitute 'the several provinces of the Dominion"; line 8, strike out 'a subsidy' and substitute 'subsidies'; after 'exceeding' insert 'in the whole'; after the clause insert the following as subclause 2.

'2. The sum of money voted in any year to be expended under this Act shall be apportioned among the several provinces of the Dominion in proportion to the respective populations of such provinces as shown by the then next preceding census.'

Hon. Mr. LOUGHEED—I am very sorry indeed that the hon. member for Halifax has seen fit to offer this amendment. I need not repeat what I said the other day with reference to the Highway Bill. What was said then is equally applicable to this Bill. As my right hon. friend opposite (Rt. Hon. Sir Richard Cartwright) said yesterday, this Bill is in a different position from the Highways Bill, inasmuch as the British North America Act contemplated and made express provision that this parliament should have authority to deal with matters relating to agriculture. In the exercise of that power they have the right to vote money, and have the right to exercise their own discretion as to the distribution of that money, provided parliament will sanction such estimates as may be brought down and such appropriation as may be made. The same would apply to immigration. I need not refer to section 95 of the British North America Act which deals with both subjects, agriculture and immi-

gration, giving authority to this parliament to deal with both.

My hon friend might as well say with reference to the appropriation for immigration: 'We shall tie you down, by a hard and fast amendment of a statute, to the distribution of the immigration grants to the various provinces of Canada.' I think no self-respecting government can accept an amendment of this kind, for the simple reason that, notwithstanding the good faith shown by the government in placing in the estimates a sum to be distributed on a 'pro rata' basis amongst the provinces, this Senate seeks to make it a hard and fast rule, by way of what I might term a constitutional amendment to the subsidy Act of the various provinces, because that is about what the amendment amounts to, thus depriving the government of that discretion which they have a right to exercise at any future time. I might say to my hon. friend —and I say it with the desire that this Senate should maintain all its rights and privileges with a view of revising legislation, and of exercising within the constitution the right that it has to revise and amend legislation,—that there are occasions when we may possibly entrench upon the right and the power which should be exercised by the government itself, and not only exercised by the government, but exercised by the House of Commons, the power of having alone the right to vote supplies, and I think that when this Senate interferes with the exercise of that particular right and prerogative of the House of Commons, then a self respecting government is bound to say 'We cannot accept such an amendment.' While we recognize the right of the Senate to make the amendments, yet, for the preservation of our own self respect and dignity, while considering the responsibility thrown upon us in making expenditures of infinitely larger sums—because this government is vested with the authority of distributing the revenue of the country—that in small amounts of this kind I doubt very much as a matter of propriety—simply putting it on that ground—the wisdom of the Senate in interfering with matters of detail in Bills of that kind. I can only say to my hon. friend, with a view, if possible, of avoiding further friction between the two Houses on the subject, that the government will not accept this amendment.

Hon. Mr. DANDURAND—I think there is considerable difference between the Highway Improvement Bill, or the Good Roads Bill, and this Bill. The improvement of roads Bill is a departure by which this government seeks to help the provinces in a work which belongs exclusively to the provinces. This being the fact, I have tried to convince this Chamber that it was our duty to see that the amount of the lump sum that would be voted for the purpose of helping the provinces in works which are of the exclusive domain and jurisdiction of the provinces should, at all events, be divided according to population. This Bill has for its purpose the giving of money to the provinces for agriculture. Agriculture, like railways, can be worked, developed and helped by both the provinces and the federal government. The only departure in the general administration of federal affairs and of the expenditure of federal money is in this Bill. The federal government says that it may have its work done for agriculture by the province itself, by giving it an increased subsidy, practically, or the federal government can do the work directly itself in any one province, irrespective of equality between the provinces in expenditure, I do not see any special harm in the government asking the province to do the work itself, and for that reason I am not disposed to agree with my hon. friend from Halifax in the amendment which he is now proposing when he affirms that his reason for doing so is that he desires to be consistent with his action in the Highway Bill. The federal government is asking the right to disburse the money, through the medium of a province, which it could disburse directly itself.

Hon. Mr. DERBYSHIRE—I am very much pleased that the grant of $500,000 has been made to agriculture. I observe in the supplementary estimates that they have given the province of Ontario $175,733.32 and the province of Quebec $139,482.40 and Nova Scotia, $34,288.45.

Hon. Sir MACKENZIE BOWELL—Based on population.

Hon. Mr. DERBYSHIRE—Based on the population; and I am very much delighted that they have appointed Professor James, who is the Deputy Minister of Agriculture for the province of Ontario, and one of the very best agriculturists we have in the Dominion. He is conferring with the province, finding out what can be done to help to build up agriculture in the several provinces, and I am satisfied this amount of money is going to do good, divided as it is equally among the provinces according to population.

Hon. Mr. BEIQUE—It has been my good fortune to see eye to eye on a great many occasions with the hon. leader of the government in this House. I must say, however, that in the present instance I cannot accept entirely the reasons which he has given for opposing the proposed amendment. I think it is the province of this honorable House to be the guardian of the constitution, and one of the main things in the constitution is equality between the provinces as regards the subsidies. I think that that principle is underwritten in very strong letters in the constitution. I quite agree as to the distinction which is drawn between this Bill and the Highways Bill, but I would not be disposed to go so far as to agree with the hon. gentleman when he says that it would be outside of the province of this branch of parliament to try to legislate or to amend a Bill in the direction which is sought to be done by the hon. gentleman from Halifax.

Hon. Mr. LOUGHEED—Do I understand the hon. gentleman to say that the Senate had not the right to amend the Bill? I did not say that.

Hon. Mr. BEIQUE—The hon. gentleman did not go so far as that, but, if I understood him well, he said it would not be proper for this House to go to that extent.

Hon. Mr. LOUGHEED—I said that on the ground of policy it would not be wise for the Senate to go to that extent.

Hon. Mr. BEIQUE—I am disposed to take this position: that, as far as policy is concerned, it is a good policy for this House to affirm its rights whenever any serious question arises, and I can see no more serious question than the question of maintaining the equality between the provinces in the distribution of subsidies. There is a feeling in the country that the government—not any more this government than the late government, or other governments in olden times—have had a tendency to favour the provinces where their own party is in power, and that is a practice which should not be continued. If we intend to build up a nation we should try to broaden our ideas and not be controlled as much as we are always by party consideration; our considerations from day to day should be conducted in a broad manner. I repeat that the principle underlying our constitution is equality between the different provinces, and if the motion of the hon. gentleman from Halifax is merely to embody in the Bill that principle that the subsidies that are to be voted should be voted in an equal manner to the several provinces, I fail to see what objection there can be, or in what way it would be out of place for the government to accept an amendment of that kind. The hon. gentleman refers to immigration. I quite apprehend that the government might be prepared to present a Bill to this House asking for an appropriation to be devoted to the purpose of helping an individual province, especially one of the western provinces, where more importance should be given to immigration; but that would not be in the nature of a subsidy. It would be on account of special circumstances, and in the interest of the nation at large, that a provision of that kind should be made, and I quite agree that in that case a special subsidy might be voted. But this is not a Bill that is intended to apply to a case of that kind at all. It is a Bill, according to the declaration of the hon. gentleman, and according to declarations made in the other House, which is by way of subsidy to the several provinces, and which is intended to be given equally to the several provinces, and I fail to see the great objection to embody that in the Bill

Hon. Mr. CHOQUETTE—I am glad to hear the hon. gentlemen from Halifax, (Hon. Mr. Power), De Lorimier (Hon. Mr Dandurand), and De Salaberry (Hon. Mr. Béique), now admit that where we are doing a favour to a province we may impose conditions. When we are giving

money we can make conditions; but when we are giving land we cannot impose any condition or exercise any coercion, but must give it freely. The government say that is all right. When it is a matter of honour, conscience and religion, there can be no condition imposed. Let the government do as they like and let the minorities come down on their knees and beg for favours, when they are in the right. I congratulate the hon. gentlemen on going back on their principles. I congratulate the government that they are giving money to the provinces. If the government grants a favour to one province, let them grant it to another. The Bill provides that the Governor in Council may make a grant to any province; it would be better to say, 'grant to the several provinces of the Dominion.' That was a good provision to insert in the other Bill. That proves that we are right when dealing with the other measure, and shows that some hon. members are exercising their best senses.

Hon. Mr. TAYLOR—This Bill (100) An Act for the aid and encouragement of Agriculture, has been passed by the government and has been sent to us for confirmation. They come down with the supplementary estimates and they provide for a payment under the Agricultural Act. Those are the Acts they have already passed. That money is to be distributed under the Act they have passed; it can only be distributed under this Act. It is proposed that we amend the Act in such a way that the government will not accept it. What will be the effect? That the government will not distribute that money this year. That is the position the Senate will place the government in; they will lock up the money so that the government cannot distribute it. If the Senate adopts such a course as that I do not think the agriculturists of the country will think so much of the Senate.

Hon. Mr. BEIQUE—I would invite my hon. friend to give a better reason than than for supporting the Bill. The statement that the government will not accept it is no reason for defeating the amendment.

Hon. Mr. TAYLOR—The hon. leader of the government in this House says that they will not accept it, and the Senate must take the responsibility of killing the Bill. I fully agree with the hon. member from Brockville (Hon. Mr. Derbyshire) that the agriculturists of the country will be proud of this Bill, and the fact of the money being distributed proportionately among the provinces, and to be distributed by whom ? By Mr. James, who, as the hon. gentleman says, is one of the ablest agriculturists in the country, and a Liberal besides.

Hon. Mr. DERBYSHIRE—I am heartily glad of that.

Hon. Mr. TAYLOR—He is a good man, and the government can be trusted to get good men, irrespective of politics, to do their work. The Senate would be stulifying itself if it said to the government: ' We will not accept your Bill, in view of the fact that the government have appropriated money and show that it will be distributed among the provinces equally. My hon. friend from De Lorimier (Hon. Mr. Dandurand) has taken the right view of it, and I trust that the majority of this House will take the same view.

Hon. Mr. DAVIS—This money is voted in the subsidies and the government can spend it whether we pass this Bill or not.

Hon. Mr. LOUGHEED—No.

Hon. Mr. TAYLOR—The estimates say no.

Hon. Mr. DAVIS—Have not the government the right to expend money for this purpose without this Bill ? They are voting it, and they assume that this Bill will pass. The government want to use the Senate as a rubber stamp and the leader of the House says that no self-respecting government will submit to having its Bills amended. All we ask the government to do is to state in the Bill what they have stated to the House that they will do. They ought to be willing to put in writing what they promise to do verbally.

Hon. Mr. TAYLOR—The Auditor General will not allow the money to be spent otherwise than as provided under this Bill.

Hon. Mr. DAVIS—If the government intend to distribute the money proportionately among the provinces, why do they refuse to say so in the Bill? They say 'trust us.' That is all right. We might trust the present government, but this law will be on the statute-book and may remain there with other governments in power that we could not trust. We should not allow any government to vote money en bloc in this way without giving any statement as to how it will be expended. It is striking at the very basis of responsible government. In the estimates every dollar has to be voted, and is subject to criticism. We do not trust the government to make contracts without calling for tenders for any expenditure exceeding $5,000. The adoption of the amendment will not interfere with the spending of the money.

Hon. Mr. TAYLOR—Not a dollar of the money appropriated in the supplementary estimates can be expended except under this Act.

Hon. Mr. DAVIS—If we amend the Bill, we do not interfere with the expenditure in any way.

Hon. Mr. TAYLOR—If the government will not accept the amendment, it kills the Bill.

Hon. Mr. DAVIS—Why will the government not accept it?

Hon. Mr. TAYLOR—Because they will not. You have the word of the leader of the House to that effect.

Hon. Mr. DAVIS—That is enough to make the country suspicious.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman from Prince Albert evidently does not understand the wording of the estimates or the character of the Bill. I take exception to the remarks of the hon. member from De Salaberry (Hon. Mr. Beique). He attributed to the leader of this House remarks which were not made. What he said was very plain and distinct, that he did not deny the right—on the contrary he said the Senate had full power, constitutionally and otherwise, to amend Bills as they thought proper; but he added that he thought it very bad policy on the part of the Senate to so amend the Bill as to risk its passing, intimating at once that if the government were to be restricted in every movement in dealing with the different provinces, they would not submit to the indignity, more particularly when approval has been given by the House of Commons by an immense majority of the policy enunciated and adopted in the subsidies which have been granted. That is the position he took. He did not give any one ground to infer that the Senate has no right to deal with this Bill as it thinks fit. I have noticed in a Montreal newspaper charges made against the leader of this House in connection with the Highways Bill, attributing to him the inference that the hon. member from De Salaberry has drawn from the remarks he made to-day. When I read that editorial, I said to myself either the reporters or the editor of the paper had misunderstood the position taken by the leader of the government in the Senate. He affirmed then precisely what he has affirmed to-day in connection with this Bill. I do not like an impression to go abroad that a representative of the government or any one else having any knowledge of the constitutional rights of the Senate should argue that the government entertained any such idea as that attributed to the leader of the House by the hon. member from De Salaberry. The hon. gentleman speaks of this vote as if it were a subsidy pure and simple for the government to dispose of in aid of agriculture. In the estimates which we have before us it is distinctly stated that a certain amount of the money shall be devoted to special purposes in aid of agriculture, in conformity with the terms of the Bill now before the House. The amendment of the hon. member from Halifax directs how this money shall be disposed of—in other words it prevents the government from entering into any detailed arrangement as to the manner in which the money shall be spent in the different provinces. The Senate is to assume the management of this money instead of leaving the responsibility with the government, each member of which is responsible to the House of Commons and to the people for a proper

distribution of the money. Any one who has been a member of the government would hesitate before becoming head of any department if he had to submit to such dictation. He would feel himself responsible to his colleagues in the cabinet in the first place, and the government would be responsible to the people for the proper administration of the departments. If the amendment should be adopted, it would place the government in a very restricted position, and shift the responsibility from them to the Senate, which is not amenable to the people. Unless the Senate intend to prevent the government carrying out this laudable policy of assisting the agricultural interests of this country in the manner they have described, it will reject the amendment.

Hon. Mr. POWER—I think the dignity of the Senate is something which should be considered. We are a co-ordinate branch of parliament and have our rights as well as the House of Commons has, and I am surprised to hear a veteran like the hon. member from Hastings laying down the doctrine that we should practically lie down and let the House of Commons walk over us.

Hon. Sir MACKENZIE BOWELL—I have laid down no such doctrine.

Hon. Mr. POWER—It is contrary to parliamentary practice, and, I think, to parliamentary etiquette, that the leader of the government in this House should undertake to tell the Senate that if they pass a certain amendment it will not be accepted by the government. That is a threat which no minister has a right to hold out. If we amend the Bill, it goes to the House of Commons, and it is for the House of Commons to decide whether they will accept or reject our amendment. If the House of Commons decides that they will not accept our amendment, they send us a message couched in respectful language to the effect that they do not agree to our amendment. Then it is for the Senate to consider whether we shall imperil the expenditure of this money or yield. When that time comes it will be soon enough for hon. gentlemen to talk about losing this money. This thing of telling the Senate in advance that the government will not do certain things if the Senate make an amendment to a Bill, and threatening the Senate that if this money is lost the Senate would be responsible, is most objectionable. The money could only be lost when the Commons refused to agree when we adhered to our amendment, and we need not discuss the matter just now. What are the facts? Certain sums of money are appropriated for agriculture and various other purposes. This government came into office and found an overflowing treasury—which I do not think they ought to have found, between ourselves—and out of the benevolence of their hearts they proceed to distribute this money where they consider it will do the most good. I am not finding any fault with that policy; but this money which is being given to agriculture, like the money given to roads, is a bonus, something outside of the ordinary departmental expenditure. Is it not a perfectly right and proper thing that, if this large sum of money is to be expended, every province should get it share of the good things that Providence has sent? I think so, but the government contend that because they provide in the supplementary estimates that this money shall be distributed according to population that is enough.

Why should the government be so exceedingly sensitive as to say that if the Senate embody in this measure—which is intended to cover a number of years—the principle under which the government are distributing the money for this year, that is a gross outrage on the rights and privileges of the House of Commons? The thing is absurd. I hope the members of this House will not allow themselves to be scared out of doing what they think is right.

Hon. Mr. CHOQUETTE—I see in the supplementary estimates an appropriation of $500,000, of which $139,482.40 is for the province of Quebec. If they are willing to put in the Bill a clause stating that they will expend the money as they state in the supplementary estimates, I have no objection to it; but if they insist on distributing it as they like among the provinces it is too powerful a weapon to put in the hands of any government. I did not hear the hon. leader of the House say that the

government would not accept the amendment. It would not be very diplomatic on his part to say that; but if he did say it that would be sufficient to warrant me in voting against the Bill. See what is going on now? The government of the day has in its hands $500,000. There will be an election soon in the province of Quebec, and if they have the right under this Bill to distribute this money as they please, they may devote whatever portion of it they please to helping their friends in the election. We know something of politics, and what partisans are disposed to do in an election. We know there are ministers from the province of Quebec who have been swallowing their principles and they might be disposed to use some of this money to fight the Liberals in the province of Quebec. I think it would be safer to amend the Bill in the manner proposed by the hon. member from Halifax. If they will make provision for expending the money in the manner stated in the supplementary estimates, I shall have no objection to support the Bill.

Hon. Mr. LOUGHEED—The supplementary estimates ought to be sufficient.

Hon. Mr. CHOQUETTE—Will the hon. gentleman put it in the Bill as it appears in the supplementary estimates?

Hon. Sir MACKENZIE BOWELL—It cannot be spent any other way.

Hon. Mr. CHOQUETTE—The government want to keep in their hands the power to use the money as they please in any province.

Hon. Sir MACKENZIE BOWELL—The money must be distributed in accordance with the estimates.

Hon. Mr. CHOQUETTE—The Bill says it may be distributed in any province. For this year it may not make much difference, since the estimates are before parliament, and there can be no objection to the amendment.

Hon. Mr. BELCOURT—I do not intend to support the amendment. My principle reason is that agriculture is one of the subjects upon which parliament has jurisdiction. Another reason is that the distribution of money for agricultural purposes is not, to my mind, on the same footing as equal distribution in aid of highways. I supported the amendment of the hon. member from Halifax, that money in aid of highways should be distributed equally, in proportion to population, between the provinces. It does not strike me that that principle is applicable to this Bill. I can see reasons why a different principle would apply. There are some provinces which are essentially agricultural and others which are not. There may be justification for the government granting aid to one province more than another because it may be essentially an agricultural province. To-day Saskatchewan and Alberta are almost exclusively agricultural provinces, and it is reasonable and equitable to say that those two provinces ought to receive probably a larger share of moneys in aid of agriculture than Ontario or Quebec even, where the development is much larger in other lines than in agriculture. To-day there are some provinces receiving industrial aid from this government which is not given to other provinces. Take for instance the bounties on lead and oil, articles which are not produced in every province. Some of the provinces have none at all. I am also reminded of the fisheries bounties, which are paid almost exclusively to the maritime provinces. So it is quite clear that if the government did grant to agricultural provinces larger aid than to other provinces, it will only be equalizing what they are doing in other respects for various industries. For the reason, that parliament has the jurisdiction to deal with agriculture, placing this Bill in a different position from the Highways Bill, and for the reason that some provinces are essentially agricultural provinces, I think the government ought to be given a free hand in making this distribution in proportion to population. What encourages me further to oppose the amendment is the fact that we have evidence in the estimates of the intention of the government, for the present at all events, to make an equal distribution. It may be at present that the provinces should get equal amounts; but the time may come when they should not. At all events, fair play in the distribution of the money is evidenced by the

supplementary estimates in which we find that the appropriation is distributed in proportion to population among the provinces. It would only be fair to give the government a free hand in the expenditure of the $500,000. For my part I shall not support the amendment.

Hon. Mr. LEGRIS—Can the leader of the House tell us if the government has decided in what way the money is to be expended? This Bill is a move in the right direction, and the government will be congratulated by the farmers at all events. As my hon. friend from Ottawa has said, the government must be given a free hand in the expenditure of the money in order that it may be expended where they think it most necessary; but I should like to ask the leader of the House if the government have so far made up their minds as to tell us in what way the money is to be expended?

Hon. Mr. LOUGHEED—No, that will be the result of a conference between the different provinces and the central government.

Hon. Mr. ROCHE—My hon. friend from Ottawa (Hon. Mr. Belcourt) intimated that the maritime provinces would not be entitled to a proportionate amount of this money on account of already receiving considerable subsidies in aid of the fisheries.

Hon. Mr. BELCOURT—I did not say that, or anything like it.

Hon. Mr. ROCHE—I understood him to say that already the maritime provinces were in receipt of aid with respect to the fisheries.

Hon. Mr. BELCOURT—I spoke in a general way, but I did not say that they should not receive any of this money.

Hon. Mr. ROCHE—What I wish to point out is that they do not receive anything from the government in aid of fisheries. They only receive interest on the capital sum awarded them under the Geneva award, and the federal government merely receive the money for them. It is not aid given by parliament to the fisheries, but money that belongs of right to the maritime provinces distributed in that way.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am not sure that my hon. friend's argument is right.

Hon. Mr. BEIQUE—The remarks of the hon. member from Ottawa have elucidated the point to a considerable extent. He argued that the government might deem it advisable to encourage agriculture in one province more than another. I understand that the policy enunciated by the present administration with reference to this Bill is to encourage agriculture by way of aid to the several provinces on a basis of equality. That is one proposition; it would be quite another proposition to give special aid to agriculture in a province. The hon. gentleman says he would favour a special subsidy to the northwest provinces. I cannot agree with him in that because although those provinces are exclusively agricultural provinces, and there are large and important industries in Ontario and Quebec, the fact remains that the eastern provinces require more aid for agriculture than the western provinces, for the reason, that agriculture is much easier in the northwest than in the east; therefore I would not be disposed to approve of a policy of that kind. Does he not furnish a reason why we should not pass a Bill which could be applied either in the direction announced by the government, equally among the provinces, or applied in the direction indicated by my hon. friend. Let me deal with the present measure and with the policy of the government as announced, and if the hon. leader of this House has reason to say that the government could not approve of the amendments because it tended in any shape or form to prevent the application of the principle of the Bill, my mind is wide open to appreciate any reasons he might give in support of that contention. But what was the statement we heard—and it was what prompted me to speak on the question? We heard him say that the government could not accept the amendment. Why it should be objected to I fail to understand. The amendment is intended to sanction the principle announced by the government itself; therefore I cannot see why the government should object to the Bill if that

principle is embodied in it. I agree with the hon. member from Halifax that the less we hear of statements of that kind the better. Let this House deal with measures on their merits, exercising our best judgment, and if we come in conflict with the House of Commons we shall weigh their reasons, as I hope they will weigh ours, and if we are right we should prevail.

Hon. Mr. DANDURAND—My difficulty has not yet been removed. What troubles me in the solution of this question has not been elucidated. When the federal government is exercising its powers within its own jurisdiction, I see no principle of equality governing its action. The federal government has the right to subsidize railways. It can subsidize the railway system of one province without regard to helping railways in other provinces.

Hon. Mr. POWER—Has not this House the right to reject any measure of the kind if it pleases ?

Hon. Mr. DANDURAND—Certainly, but my difficulty is that we are now declaring that the federal government shall, in the matter of helping agriculture, direct that there shall be equality between the provinces, and I do not see that the constitution requires that equality should exist in the expenditure of federal money. The government does not need to maintain equality under this head. It may declare that it will help a province in building, maintaining and conducting an experimental farm. It may help to establish an agricultural college in one province, and some other agricultural institution in another province. The government has a free hand; in such matters the principle of equality does not exist. The hon. member from De Salaberry says we are standing on the principle enunciated by the government. I differ from him as to the expression. It is the policy, not the principle, of the government to distribute the money equally amongst the provinces according to population, but, I fail to see why a future government should be hampered by singling out a province for any special work. It is true in this case that the government say they will distribute to the provinces, according to population, money to help agriculture throughout the country; but I should not like to establish a hard and fast rule of equality for the future when I do not see that principle directing the exercise of the federal powers.

Hon. Mr. LOUGHEED—There seems to be some misunderstanding as to the nature of this Bill. The principle of the Bill is that the government shall have discretion in any year, when this money is voted, to make a distribution of it as they think proper, subject to a vote by parliament. There is nothing within the four corners of the Bill, so far as the principle is concerned, binding the government to make an equal distribution among the provinces; but the government say it is their intention to distribute the money pro rata amongst the various provinces.

Rt. Hon. Sir RICHARD CARTWRIGHT —It appears to me that you do not require the Bill at all.

Hon. Mr. LOUGHEED—I quite agree with my right hon. friend, because if there were no Bill at all, parliament would have voted this money and made the appropriation as it has been brought down in the estimates; but the hon. member from Halifax comes in and practically perpetuates that policy. He says: 'If you do it this year you shall do it for all time.' He practically creates a Subsidy Act for every province in Canada. The principle of the Bill does not warrant that at all. It must be left to the discretion of the government to expend the money according to its own judgment. It happens this year that the government has committed itself to parliament to make the grant on this particular basis.

Hon. Mr. BEIQUE—If the Bill were passed with the amendment, it would not close the door to the government presenting another Bill at a future session, if special circumstances called for it, entitling one province to a special amendment, to enable the government to carry out that policy.

Hon. Mr. LOUGHEED—Yes, but that departs from the principle of the Bill and the policy of the government. The policy of the government expressed in the Bill is not in that particular direction. The Bill says:

> The Governor in Council may, in any one year, and upon such terms and subject to such conditions as are prescribed by order in council, grant to any province, &c.

The hon. gentleman from Halifax (Hon. Mr. Power) practically says that whenever the government brings down an amount for distribution, it shall be divided upon an arbitrary basis amongst all the provinces of the Dominion, and notwithstanding any special conditions that may arise, warranting, say, an unequal distribution. Exigencies could arise which might warrant an entirely different distribution, yet they are bound hand and foot by this amendment to make that distribution in a particular way, and if it is necessary to specially assist some province which may be labouring under adverse conditions, a special vote, in addition to this, would have to be made. It manifestly changes the whole policy, and for that reason the government cannot see its way to accept the amendment. The government is responsible for the promulgation of policy in voting public money, and, as I have said, the House of Commons is particularly the place where supply shall be voted and where the money shall be appropriated. The government has to assume the responsibility of saying to parliament, 'We want the money appropriated or voted for such and such a purpose.' My hon. friends will readily appreciate the question of the policy when I say that it would be unwise for this Chamber to say that, notwithstanding that prerogative which is properly exercised by the House of Commons touching supply, yet we will limit it and will lay down certain arbitrary rules upon which money must be distributed. Allow me to say, also, that this amendment to the Bill was submitted to the House of Commons and was rejected, and I can only foresee another rejection of it. I express my own opinion, but one may readily assume that if the House of Commons reject an amendment to-day they are scarcely going to accept it to-morrow.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend must excuse us for feeling, occasionally, a little doubt, as to the way in which the government, if trusted with full power, are likely to distribute moneys. I have just received Bill (185), by which the government propose to give to Manitoba a property known to be worth $1,000,000 for $200,000 and they call upon us to confirm it. My hon. friend would hardly say that that is not a question on which the Senate has a right to express an opinion, and perhaps to take action?

Hon. Mr. LOUGHEED—I did not say that.

Rt. Hon. Sir RICHARD CARTWRIGHT—Here is a transaction which, prima facie, without rhyme or reason, $800,000 is to be given as a free gift to a province which returns nine supporters of the government to one member opposed to the government, whilst Saskatchewan and Alberta are left out in the cold, and get nothing for their holdings. These are things which make us doubtful about extending too blind a confidence to the government of the day.

Hon. Mr. DAVIS—The hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell) has tried to impress upon the government that if this Bill were amended by this House it would prevent the people of the different provinces from receiving the assistance placed in these supplementary estimates which I hold in my hand. I want to draw the attention of the hon. gentleman to the fact that these estimates have not been passed. The Minister of Finance, who submitted these estimates to the House, refers to the Agricultural Act. As a matter of fact there is no Agricultural Act until the Bill passes both Houses. But these gentlemen have imagined that because they have said there is an Agricultural Act this Senate is not to be taken into consideration at all. They say 'We have passed it and that is all there is to it.' Now they tell us, 'You cannot change it or the government will not accept it.' If we cannot amend a Bill in the direction of improvement or in the interest of the people, what are we here for? The matter looks a little doubt-

ful when we see them handing one million dollars worth to Manitoba for $200,000, and when we see another measure giving a subsidy to a road which has already been constructed and which belongs to the province of Ontario, the Temiskaming and Northern Ontario, it is time the Senate took action. If, then, in their wisdom they are going to assume the right to spend $500,000, should the House of Commons vote $5,000,000 they could take it in a similar manner and put the whole of it into British Columbia or Ontario, if they saw fit, or wherever they had the most friends. The people of Ontario are paying taxes for every dollar that goes into the treasury, the money they are doling out so generously is contributed by the people of Canada, and, therefore, I do not see anything wrong in safeguarding the interests of the province by providing that when any money is voted for roads, agricultural or other purposes, it should be distributed on the basis of population, and that everybody should get their share. If the Senate sees fit to amend this measure on the lines laid down by the hon. gentleman from Halifax (Hon. Mr. Power), it will not prevent the government from putting through the estimates; they can score out the Agricultural Bill if they will not accept it, as my hon. friend says, and they can pass the amount to be spent in aid of agriculture.

Hon. Mr. LOUGHEED—In order that my hon. friend may have no misapprehension on this point, let me say that the money will only be voted subject to the Bill, and if the Bill is not passed, the grant fails.

Hon. Mr. POIRIER—I think if the Senate acts wisely it will not interfere in this matter. The government is making a novel move, and I believe it is in the right direction. The people of the Dominion will endorse this measure. If we were to pass an amendment to prevent the Bill going into operation from motives of suspicion, the result would be disastrous, firstly on the country and secondly on the Senate. Allow me to say that the statement of the hon. gentleman from Prince Albert (Hon. Mr. Davis) that the government would be in a position to distribute all that money into one province, is at least preposterous. That might be the case in a country where there is no responsible government or where a responsible government is just coming into existence. My hon. friend must not forget that the government can appropriate the money if it is supported by the majority. There is nothing to prevent the government voting all the surplus and applying it to one province, if the proposition is supported by a majority of the House, provided they were so unstatesmanlike or so blind as to adopt such a course We must not suppose, in a country such as ours, that the government are going to stupidly distribute the money—as is alleged by some of my hon. friends as a reason for opposing this Bill. The government will be checked by the representatives of the different provinces and equilibrium will have to be established on some fair basis. Let the government, which is in good standing with the several provinces, regulate the distribution of that money, and I am sure my hon. friend will find, within twelve months, that the distribution has been equitable. At all events, before condemning the government and placing obstacles in its way, give the measure a fair trial and see how it will work, and if the result is what my hon. friends apprehend, the country will not need the Senate to check the government; the House of Commons will do it themselves.

Hon. Sir RICHARD SCOTT—I should like to read the constitutional principle that will prevail in this case. May, at page 574, says:

> That all aids and supplies, and aids to His Majesty in parliament, are the sole gifts of the Commons, and all Bills for the granting of any such aids and supplies ought to begin with the Commons, and that it is the undoubted and sole right of the Commons to direct, limit, and appoint in such Bills, the ends, purposes, considerations, conditions, limitations and qualifications of such grants, which ought not to be changed or altered by the House of Lords.

Hon. Mr. DAVID—I think the Senate has a right to amend the Bill in the way proposed. There is a great difference between the Highways Bill and this measure. But for the reasons given by the hon. gentleman from De Lorimier (Hon. Mr. Dandurand) and Ottawa (Hon. Sir Richard Scott)

and seeing that the government intends—as evidenced by the estimates which are before us—to act in accordance with the principle which is embodied in the amendment moved by the hon. gentleman from Halifax (Hon. Mr. Power), I am of opinion that the Senate must not interfere with money Bills, particularly where there is a great principle at stake, and when they are confident that the public will support it. The reasons given are not strong enough to induce me to take the responsibility of preventing the agriculture of the country from having the benefit of the money grant which is given to them by this Bill.

Hon. Mr. McHUGH—The hon. leader of the House made a declaration that the policy of the government was to expend the money pro rata in the different provinces. After listening to the quotation from May, read by the hon. gentleman from Ottawa (Hon. Sir Richard Scott), I do not feel like supporting the amendment. I find the government is very touchy on questions reflecting on their right to deal with these matters. I am a layman, but I understand it is a maxim in law that individuals can make a verbal bargain, and that bargain holds good until decided differently in a court of law. I have no doubt governments can do the same thing, but I have always understood that you could not make a bargain partly verbally and partly in writing. When you come to court the part in writing holds good and the verbal part is discarded. If I am wrong I should like to be put right. If my proposition is correct I do not see why it is any reflection on this government, to have inserted in the Bill the policy on which the distribution is going to take place.

Hon. Mr. PROWSE—In regard to encouraging agriculture, I do not agree with the policy embodied in the Bill. The intention may be honest enough, but if the money is to be spent in agriculture I think it should be based only on the population of the people engaged in that industry; otherwise it would work out unfairly in Prince Edward Island. That province produces more agricultural products than Nova Scotia or New Brunswick. They produce a million bushels more of wheat, oats, &c., than Nova Scotia and 500,000 bushels more than New Brunswick. Nova Scotia receives more than Prince Edward Island and I think the distribution should be on a different basis.

The committee divided on the amendment which was lost on the following vote:

Contents 12, non-contents 32.

The clause was adopted.

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

The Bill was then read a third time and passed.

BANK ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into committee of the whole on Bill (169) An Act to amend the Bank Act.

(In the Committee.)

Hon. Mr. LOUGHEED—I explained on the second reading of the Bill that the object was to renew the charters of the banks for one year from the 1st July next to the 1st July 1913. The government hopes, at the next session of parliament, to bring down legislation touching the renewal of the charters of banks. Then there is another clause providing for enlarging, or extending the time for the emergency circulation. As the hon. gentleman will know, the banks are given authority during certain periods of the year to enlarge their circulation by 15 per cent of their reserve, or capital stock. It is proposed now to enlarge the time during which they may issue the emergency circulation from the 1st October to the end of January, as at present, to from September 1st to the end of February. The conditions in the west during the movement of the crop warrant this being done.

Rt. Hon. Sir RICHARD CARTWRIGHT—No objection to that.

Hon. Mr. LOUGHEED—There is another provision for the calling in of notes under $5, or in multiples of $5. That is provided for in subsection 10 of section 4.

Hon. Mr. DANDURAND—Is it for the purpose of withdrawing the $4 bill?

Hon. Mr. LOUGHEED—Yes, I think I may say that.

Hon. Mr. PROWSE—Would it not be well to insert a provision that they may issue nothing but clean notes.

Hon. Mr. LOUGHEED—The notes are clean when they are issued.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend would do well to call the attention of the Finance Minister to the disgraceful state of the ones and twos which are in circulation. I think it is the fault of the banks that they will not send in dirty notes and obtain clean ones. I have seen notes in circulation which are a perfect disgrace to any community, and which, very likely, might contain the germs of many diseases.

Hon. Mr. LOUGHEED—I shall call attention to it.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is quite true this clause was put in by the government of which I was a member, and technically I was responsible for it, but I really think that these emergancy notes which will serve a valuable purpose in facilitating the transaction of business, particularly in the northwest, should not be charged for at the rate of 5 per cent. The government should rather encourage the issue than penalize it. The 5 per cent is too much and interferes a good deal with the disposition of the banks to make those issues. The privilege is of very great value, not so much to the banks as to the agricultural community, and it is a tax in reality, on the producers and the sellers of agricultural produce that this 5 per cent should be kept up. It is very proper that some tax should be imposed.

Hon. Mr. LOUGHEED—My hon. friend will see that is the maximum. The Governor in Council might make it less.

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes, but the tendency of these departments is to take all they can get.

Hon. Mr. DERBYSHIRE—And look for more.

Rt. Hon. Sir RICHARD CARTWRIGHT—I should like to see it cut down rather than have it remain at 5 per cent. To a considerable extent it militates against the advantage which would arise from the issue of those notes, particularly in the grain growing provinces of the northwest in which my hon. friend is interested.

Hon. Mr. LOUGHEED—It gave them that additional capital.

Rt. Hon. Sir RICHARD CARTWRIGHT—But they are not disposed to use it to anything like the extent they would if the interest were lower.

Hon. Mr. BEIQUE—Have the banks used that privilege to any extent? Banks will not borrow money at 5 per cent, because it is equivalent to that.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is equivalent to more, because properly managed banks keep a considerable reserve for all their additional circulation.

Hon. Mr. LOUGHEED—I cannot say to what extent the emergency circulation is used.

Hon. Mr. JAFFRAY—I think the point is well taken. There should be some such encouragement to the banks to take advantage of this emergency provision as much as possible. In the case of a very large harvest, the amount used in this way would be altogether insufficient to meet the demands for circulation, and I think it is in the interests of the government and of the country to make it 4 per cent instead of 5 per cent.

Hon. Mr. DERBYSHIRE—Make it 3 per cent.

Hon. Mr. LOUGHEED—I shall call attention to the matter.

Hon. Mr. KERR, from the committee, reported the Bill without amendment. The Bill was then read a third time and passed.

BILLS INTRODUCED.

Bill (138) An Act to incorporate the Winnipeg and St. Boniface Harbour Commissioners.—Hon. Mr. Lougheed.

Bill (156) An Act to amend the Judges Act.—Hon. Mr. Lougheed.

Bill (167) An Act respecting the incorporation of Live Stock Record Associations.—Hon. Mr. Lougheed.

Bill (178) An Act to provide an additional annual grant to the province of Prince Edward Island.—Hon. Mr. Lougheed.

Bill (179) An Act to amend the Civil Service Act.—Hon. Mr. Lougheed.

GRESHAM GUARANTEE COMPANY BILL.

COMMONS AMENDMENTS REJECTED.

A message was received from the House of Commons, returning Bill (Y 2) An Act to consolidate and amend the Act relating to the Dominion Gresham Guarantee Company, with an amendment.

Hon. Mr. DANDURAND—The Hon. Mr. Casgrain has asked me to take charge of this Bill for him. He has been informed that at a very slim meeting of the Banking and Commerce Committee of the other House, clause 14 was rejected. The committee had not been made aware of the fact that this is a consolidation of the Acts of the Dominion Burglary Guarantee Company, which was changed by Act to the name of 'The Dominion Guarantee Company,' and which will now be the Dominion Gresham Guarantee Company; the clause of the statute which covered this being more especially 1 Edward VII, chapter 95, An Act respecting the Burglary Guarantee Company. Clause 5 of that Act was simply carried by consolidation into this Bill. The company proceeded to consolidate its Act, retaining most of the clauses of the preceding Act, and has incorporated in this consolidation a power which it has already obtained under 1 Edward VII. For that reason I would ask that the Senate do not concur in the Commons amendment.

Hon. Mr. BEIQUE—And also because it has been the practice of parliament to pass Bills embodying that clause.

Hon. Mr. DANDURAND—I will draft the reasons, and a message will be sent to the Commons to the effect that we do not concur in their amendments.

The motion was agreed to.

CAPITAL TRUST CORPORATION BILL.

A message was received from the House of Commons with Bill (W 2) An Act to incorporate the Capital Trust Corporation Limited, with an amendment.

Hon. Sir MACKENZIE BOWELL—The Finance Department always insisted that a quorum shall consist of a majority of members. It has been pointed out that this is almost impossible, because many of the directors of these companies reside in different parts of the Dominion. However, I make no motion in the matter.

Hon. Mr. LOUGHEED—As no one seems to be in charge of the Bill, it might be laid on the table.

The message was laid on the table.

The Senate adjourned until three o'clock this afternoon.

Second Sitting.

The SPEAKER took the Chair at Three o'clock.

Routine Proceedings.

CONTINGENT ACCOUNTS OF THE SENATE.

DEBATE RESUMED.

The order of the day being called,

Consideration of the fifth report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate.—Hon. Mr. Thompson.

Hon. Mr. THOMPSON—Does the Speaker desire to make any reference to the matter referred to him?

Hon. Mr. LANDRY (The Speaker)—I do. A point of order having been raised to the adoption of this report, I am now prepared to give my ruling.

The report of the committee is supposed to contain four recommendations which it is intended to submit to the approval of this House.

First recommendation—That instructions be given to the Clerk of the Senate to pay the employees whom the Committee of Internal Economy and Contingent Accounts have appointed or intend to appoint during recess, in case of emergency.

Second recommendation — That the Speaker of the Senate, having no need of a private secretary, the salary of the latter be suspended after the 31st instant.

Third recommendation—It is not a recommendation, but simply an assertion of the fact that the committee have been advised that an item vaguely alluded to but not specified in the estimates of 1913 shall not appear in the expenditure chargeable to the Senate.

Fourth recommendation—That in the opinion of the committee, the Senate would act illegally and in contravention with clause 38 of the Civil Service Act, 1908, should they adopt the suggestion of the Speaker to pay an additional sum of $10 per month $120 per annum) to a certain R. McKay, night watchman.

The first recommendation is directly contrary to law, and more especially to clauses 22 and 23 of the Civil Service Amendment Act, 1908, which reserves to the Senate itself, but on the necessary and express recommendation of its Speaker, the appointment of those employees aimed at by the report of the committee.

The substitution of the committee's action to that of the Senate advised by its Speaker, is illegal, and the recommendation of the committee of such an illegality is itself illegal in the eyes of the law.

Moreover, the committee have no right whatever to make such a recommendation, because they have neither the liberty nor the power to go beyond the limits defined by an Order of this House, Order which creates their existence and gives them jurisdiction.

This Order adopted on the 23rd November, 1911, reads as follows:

> The Hon. Mr. Lougheed moved, seconded by the Hon. Sir Mackenzie Bowell,
>
> That the senators mentioned in the report of the Committee of Selection as having been chosen to serve on the several Standing Committees during the present session, be and they are hereby appointed to form part and constitute the several committees with which their respective names appear in said report, to inquire into and report upon such matters as may be referred to them from time to time; and the Committee on Standing Orders is authorized to send for persons, papers and records required.
>
> The question of concurrence being put thereon, the same was resolved in the affirmative, and
>
> Ordered accordingly.

Committees in general have a right to report only on subjects specially submitted to their deliberations.

Or, nothing in the subjects already submitted to the deliberations of the committee of Internal Economy and Contingent Accounts, has any bearing on the particular subject now incorporated in the recommendation which is asked to be submitted to the approval of this House.

For the second reason, the first recommendation of the Committee of Internal Economy and Contingent Accounts, is out of order.

The second recommendation concerning the appointment made by the Speaker of the Senate of a private secretary, is equally illegal, inasmuch as it constitutes an usurpation of power which the committee cannot have.

The Senate, and still less the Committee of Internal Economy and Contingent Accounts, have no jurisdiction in the matter.

The right to have a private secretary and the selection of the same belong exclusively to the Minister.

So says the law, and I quote it:

> 7-8 Ed. VII., chap. 15, sec. 39.
>
> Any person chosen by a minister to be his private secretary may, without examination and irrespective of age, be appointed for a period not exceeding one year, and paid as a clerk in subdivision 'B' of the second division, and after one year's service as such secretary he shall be deemed to be appointed to such rank.

If we now consult the revised statutes of Canada, chapter 16, section 81—we find:

> 81. Any member of the civil service may be appointed private secretary to the head of a department, and may be paid an additional salary not exceeding six hundred dollars a year whilst so acting.
>
> 2. No salary shall be payable to any private secretary unless the amount has been voted by parliament.

What does that expression 'Head of a department' mean? The law will give the answer. The revised statutes of Canada, chapter 16, section 2, paragraph (a) says:

'Head of a department' means the minister of the Crown for the time being presiding over the department.

When the Civil Service Amendment Act 1908, was enacted on the 20th July, 1908, and became the law of the land, it contained the following paragraphs (7-8) Edward VII, chapter 15, section 2, paragraph (c):

'Head of a department' in addition to the ministers mentioned in paragraph (a) of section 2 of the Civil Service Act, includes the Speakers of both Houses.

There is no possible ambiguity in the interpretation of the law as it stands, and the committee have no right to substitute themselves, in the application of the law, to the person whom the law itself designates and empowers with the right of executing it.

The recommendation of the committee is consequently out of order because it clashes with the law and is still out of order because the subject which forms the basis of such a recommendation has never been submitted by the House to the deliberations of the committee.

I asked the chairman of that committee this morning what was the recommendation on that particular question to the committee. The answer was that it was to be found on page 258 of the 'Minutes of Proceedings.' The entry I find there is as follows:

On motion of the Honourable Mr. Thompson, seconded by the Honourable Mr. Power, it was

Ordered, that the salaries and contingencies of the Senate, under the head of legislation, and found on page 39 of the estimates laid before parliament for the fiscal year ending March 31, 1913. be referred to the Standing Committee on Internal Economy and Contingents Accounts of the Senate.

If we look at page 39 of the estimates, we find nothing at all in reference to the salary of the Speaker's secretary. The only reference like that in any way is to the secretary of the hon. leader of the Senate, and that I suppose formed the subject of the third resolution, which says, that the committee has been advised that no such expenditure would be chargeable to the Senate without stating why.

The third reason which makes it perfectly clear that such a recommendation is out of order is because it claims to prevent, contrary to law and parliamentary practice, the payment of a sum of money submitted by the Crown to the House of Commons for their approval.

The law says: (Revised statutes of Canada, chapter 16, section 81, paragraph (2)

No salary shall be payable to any private secretary unless the amount has been voted by parliament.

All parliamentary authorities refuse to the Senate the right of selecting out of the appropriations voted by the House of Commons, a single item, and make it the subject of a rejection by the Upper House. What the Senate cannot do, its committee has no right to recommend it to be done.

For these three reasons the second recommendation made by the committee is out of order.

The third recommendation, is in no way a recommendation at all. It is simply an assertion that the committee has been advised on the subject of a money appropriation in relation to which the committee has no right, for the treble reason, that such a subject has never been referred to them, that the law cannot be laid aside by any of their declarations, and that no committee has any right to recommend the elimination of a single item of the estimates.

For all the reasons given above, I declare the report out of order and decline to ask this House to adopt it.

Hon. Mr. THOMPSON—I presume it will be right and proper that I should take up the report, even after the Speaker's decision?

The SPEAKER—I would ask the hon. gentleman if it is his intention to appeal from my decision?

Hon. Mr. THOMPSON—It certainly is. If the Senate is up against the Speaker in regard to financial matters, if he can dictate to the Senate what it shall do and

what it shall not do, it is time we fully understand the situation.

Hon. Mr. CHOQUETTE—I have no objection whatever to discuss the report, but I should like to know if an appeal from the decision of the Speaker can be discussed.

The SPEAKER—The hon. gentleman is out of order in discussing the subject. He can appeal from my decision, but without discussion.

Hon. Mr. THOMPSON—I am going to appeal to the Senate.

The SPEAKER—I will call in the members if you wish.

Hon. Mr. THOMPSON—We are tied up pretty short.

Hon. Mr. LOUGHEED—I understand the practice to be that the hon. gentleman simply states to the Senate that he dissents from the finding of the Speaker, and, therefore, moves that the ruling of the Speaker be not concurred in by the Senate.

The SPEAKER—He has that right.

Hon. Mr. THOMPSON—Then I make that motion.

Hon. Mr. CHOQUETTE—Is the point of order taken on the first clause of the report or on the whole report?

The SPEAKER—The point of order is taken on the report as it stands.

Some hon. GENTLEMEN—Call in the members.

The SPEAKER—Let the members be called in.

Hon. Mr. KERR—I take the liberty of making a suggestion. We have a judgment from the hon. the Speaker and there has been an appeal from it.

Some hon. GENTLEMEN—Order, order.

Hon. Mr. YOUNG—No hon. member can occupy the floor, and no other business can take place, after the members are called in and before the vote has been taken.

The members being called in,

Hon. Mr. THOMPSON.

The SPEAKER—The question is on a decision given by the Speaker, declaring out of order the report of the Committee on Internal Economy. The question is now, shall this decision be sustained.

The House divided on the question, the decision of the Speaker being reversed on the following division:

Contents 14, non-contents 31.

The SPEAKER—The decision is reversed.

Hon. Mr. THOMPSON moved concurrence in the report.

Hon. Sir MACKENZIE BOWELL—It was understood that the report was to be considered clause by clause.

Hon. Mr. THOMPSON—I move the adoption of the first clause.

(Hon. Mr. ELLIS in the Speaker's Chair.)

Hon. Mr. LANDRY (The Speaker)—The first clause of the report reads:

(1) That, with due regard to the constitutional rights and practices of the Senate, your committee would respectfully recommend that definite instructions be given to the Clerk to the effect that salaries or other emoluments can only be paid to such officers, clerks, messengers, and other employees of the Senate, whose appointments have been duly made or approved by the Senate, and whose salaries have been fixed in like manner.

To that I have no objection. The report continues:

Or to such employees, temporarily appointed by your Committee on Internal Economy and Contingent Accounts, in so far as your committee have been authorized to act during recess in case of emergency.

The adoption of this recommendation shall constitute such instruction.

I contended that this last part of the report, giving the Internal Economy Committe the right to nominate persons in the lower grade, is against the law, and I will prove it. Clause 22 of the Civil Service Act says:

The appointment to positions of porters, sorters, messengers and packers and such other positions in the lower grade as are determined by the Governor in Council, may be made by the Governor in Council upon the recommendation of the head of the department based on the report in writing by the deputy head.

By this last clause of the first recommendation, the committee is asked to do a thing which pertains to the Senate upon the recommendation of the Speaker. This is against the law. It shall never be carried and no man appointed by the Senate under those conditions shall be paid by the Auditor General. Therefore, I was right when I said just now that it was illegal.

Hon. Mr. THOMPSON—The hon. gentleman has called attention to section 22 of the Civil Service Amendment Act of 1908 and has read it correctly, but if the hon. gentleman would take the law in its application to the Senate and Commons, and also to the Governor in Council, he would find duplicate words as follows:

> Appointments to positions of porters, sorters, messengers and packers and such other positions in the lower grade as are determined by the Governor in Council.

In section 32 it limits the power of the Governor in Council to deal with certain of the employees whose salaries are less than $500. It uses exactly the same terms. It says:

> For the positions of porters, sorters, messengers and packers and such other positions in the lower grade as are determined by the Governor in Council, the minimum and maximum salaries shall be $500 and $800.

This was referred to the Minister of Justice and he reported on February 10, as follows:

> I do not think the Civil Service Amendment Act of 1908 has, in relation to the Senate, any application to employees, such as charwomen and pages, whose work is of a temporary character, and whose rate of pay is necessarily less than $500 per annum.

There is the judgment of the Minister of Justice.

Hon. Mr. LANDRY (The Speaker)—Not the Minister.

Hon. Mr. THOMPSON—E. L. Newcombe, deputy Minister of Justice. It was brought to this House and confirmed by this House as their judgment. Believing in the opinion as expressed by the deputy Minister of Justice, your committee subsequently passed this report on the 2nd May, 1910:

> Your committee recommend that during recess any vacancy necessary to be filled, or appointment absolutely necessary, which, under the opinion of the Justice Department does not come within the provisions of the Civil Service Act, shall be made by the Chairman of the Committee on Internal Economy and Contingent Accounts subject to the confirmation of the said committee at the next session of parliament.

This first clause practically refers to the right of this committee, authorized by this House, to act in respect of the jurisdiction which the Minister of Justice claims the Senate or committee had in reference to the Civil Service Act.

Hon. Mr. CHOQUETTE—I did not vote a moment ago on the appeal from the decision of the Speaker, because, as I intimated, the Speaker was deciding on the whole report and we were only on the first recommendation. The committee disagreed with the Speaker on the recommendation. I would have voted against the point of order, but I think the other provisions are correct. As to the first recommendation, supposing the law should be as his hon. the Speaker stated, that the report is not in order, there is nothing to prevent the committee asking the House to make such a declaration; there is nothing in the declaration which deprives the Senate of one iota of its rights. Therefore, there is nothing in it to which we can object. If the report will make a declaration that all the messengers or other employees should be appointed by the Senate, it would be quite different, but as the report is simply a declaration saying that when an employee is duly appointed or recommended or accepted by the Senate, then the Senate will pay him or any other employee whom the committee may appoint. There is no harm in that, but then the question will come up, in the point of view of his honour the Speaker, if, later on, the Committee on Internal Economy shall appoint a man and come before this House with a recommendation to accept that appointment. I see nothing in this report which is not in order. I was against the Speaker on this point but not as to the other matter. I concur in the first recommendation.

Hon. Mr. BEIQUE—The hon. Speaker will correct me if I misunderstood his contention, but I understood his argument on this question to be, dealing with the second part of the first paragraph, that the initiative is with the Speaker, and on the recom-

mendation of the Clerk of the House. I quite agree with the hon. Speaker that the Senate can act only on the recommendation of the Speaker, but my contention is that the second part of the first paragraph has to be read as if the wording were in this way:

So far as your committee may have been authorized to act during recess in case of emergency upon the proper recommendation according to the statute.

When the report said the committee had been authorized we have to assume that the committee has been properly authorized to do it. If it is a condition, so that the committee may be properly authorized, that it must come on the initiative of the Speaker, then the meaning of the clause of the report supposes that that has taken place and that the Senate has acted on the initiative of the Speaker. The point raised by the Speaker assuming that the Senate may act irrespective of any initiative of the Speaker, is not correct.

Hon. Mr. LANDRY (The Speaker)—I want to answer that reference to the letter of Mr. Newcombe. He says it is not necessery to inquire into the authority of the Committee on Internal Economy and Contingent Accounts, but he adds so far as it has not been set aside by an enactment of the law. And that is just what has happened—it has been modified by the statute. The hon. member answered me by quoting section 32. That is not a reply to my contention. Section 22 of the Act says that these nominations shall be on the initiative of the Speaker. Does clause 32 contradict the clause at all? One relates to the classification and salary of employees, and the other to appointments. We should be careful not to confound the two sections.

Hon. Mr. THOMPSON—The hon. gentleman should ask the opinion of the Minister of Justice on that point.

Hon. Mr. LANDRY (The Speaker)—I will not ask for the opinion of the Minister of Justice on that point, because I understand what the law says. The hon. gentleman tried to get an expression of opinion from the deputy minister, and the deputy minister did not give a decision of that kind. He says, so far this has not been set aside by an enactment of the law. but we have an enactment of the law, and to-day, by the law, the Speaker has a right to make recommendations for the approval of the House. If the Speaker has recommended a person where does he take his authority? He takes it from the law.

Hon. Mr. BEIQUE—Does the hon. the Speaker deny that if the report read as I am going to read the last part of it, that it would be open to his objection?—

Or to such employees temporarily appointed by your committee on Internal Economy and Contingent Accounts in so far as your committee may have been authorized to act during the recess in cases of emergency on the recommendation of the Speaker.

Hon. Mr. LANDRY (The Speaker)—My hon. friend asks me if the report was altogether different from what it is now would it be right? Certainly if it is an entirely new report, and if all that is objectionable in the report is taken out, I would not say the same thing. But I take the report as it stands, and that report calls for an order of the House to pay the employees named by the committee. I deny the right of the committee to nominate employees, and as they have no right to name the employees, nobody can give the Clerk the order to pay them.

Hon. Mr. THOMPSON—Would the Speaker be kind enough to say whether the Senate has divested itself entirely of its power?

Hon. Mr. LANDRY (The Speaker)—The day we accepted the Civil Service Amendment Act we became bound by that law.

Hon. Mr. THOMPSON—The minister of Justice does not say that.

Hon. Mr. POWER—I think his hon. the Speaker is making a mountain out of a mole hill. The portion of the first clause of the report which he objects to really does not infringe the law in any way. It simply makes provision, as has always been made, for the appointment of charwomen, and other employees of that kind, during the recess of parliament. The hon. gentleman seems to lose sight of the fact that the Senate stands above the Speaker

and above the clerk. The Senate takes the place of the Governor in Council.

Hon. Mr. LANDRY (The Speaker)—Yes.

Hon. Mr. POWER—Does his hon. the Speaker mean to say that if the government were going to separate for some months and there were some temporary appointments to be made before they could meet again, that they could not empower one of the ministers or a deputy minister to make them?

Hon. Mr. LANDRY (The Speaker)—Not against the law.

Hon. Mr. POWER—But it is not against the law. This deals with persons whose salaries are less than $500. The Senate has a right to deal with such cases without calling in the Speaker at all.

Hon. Mr. LANDRY (The Speaker)—No, read section 22; that is the law.

Hon. Mr. POWER—Section 22 of the Act says that appointment shall be made by the Governor in Council; that is by the Senate.

Hon. Mr. LANDRY (The Speaker)—And it provides for the recommendation of the head of the department.

Hon. Mr. POWER—Section 33 says:

> For the position of messenger, porter, sorter, packer, and such other positions in the lower grades as are determined by the Governor in Council, the minimum and maximum salaries shall be $500 and $800, &c.

Those are the only classes that the Governor in Council can deal with. Appointments carrying less than $500 the Governor in Council have nothing to do with, and we do not need any recommendation from the Speaker. But this is not the first time that this question has been brought up. This Act was passed in 1908, and after it went into operation the Senate was called upon to decide how it would operate under the Act, and it adopted the principle which I spoke of the day before. The committee at their last meeting, as a rule, make a recommendation which is adopted by the Senate to the effect that any temporary vacancy in the lower grades may be filled for the time being by the committee or by the Chairman of the committee. There is nothing in the law against it and it is the only practical way to do the thing.

Hon. Mr. LANDRY (The Speaker)—No practice can do away with the law, and the law gives the Speaker that power. I would ask the Chairman of the committee to submit a case to the Minister of Justice.

Hon. Mr. CAMPBELL—I rise to a point of order. The Speaker has spoken several times, which is contrary to the rule. We are getting close to the end of the session and we should not fool away a whole afternoon on a petty question of this kind.

Hon. Mr. ELLIS (in the Chair). In discussions of this kind it is very difficult to enforce the rules.

Hon. Mr. CAMPBELL—The Speaker ought to respect the rules himself.

Hon. Sir MACKENZIE BOWELL—I have never had but one opinion on the question we are now discussing. I have always taken the strong ground that the Speaker has taken, as to the right of the Speaker and the Clerk in reference to these recommendations. Those who have been in the Senate know that I have always contended that the committee have assumed power and authority to which they are not entitled under the law. The hon. gentleman from Halifax (Hon. Mr. Power) laid down a very correct principle when he said that if the Speaker and the Clerk represent the Senate as ministers and deputies, their recommendation are not above the authority of the Senate itself, but neither has the Senate the power to do that which is in contravention of the statute. The statute makes certain provisions, and the Senate is obliged to conduct its business within the terms of the statute. The Senate has power to reject any recommendation, but I deny the right under the law of the Contingent Accounts Committee to assume the position they have taken. In my mind it is in direct contravention of the law. I should like to see the ruling of the Speaker on this question submitted for the consideration of the Minister of Justice during the recess and let us know exactly where we are and avoid these contentious discussions in the future. That is what I

trust will be done for the reasons I have given.

Hon. Mr. KERR—This question has been very much narrowed down. by the report itself. The question, as I understand it, is this practically, if the Senate has appointed anybody and has authorized their payment, the committee shall have the power to pay them. That is what the clause is. If the Senate, being seized of the matter, appointed an official and fixed his salary, the committee are authorized to see that his salary is paid. That is not the question which was raised by the Speaker's decision. The other part of the clause is as to temporary employees, and that refers only to cases where the Senate has authorized the committee to act. It is the same thing, for if the Senatae authorizes the committee to act, it becomes the act of the Senate, and therefore the following words are subject exactly to the same interpretation I have put on the first lines. It appears to me therefore, so far as this question is concerned, that it is a question whether the Senate, appointing or authorizing an appointment to be made, can authorize payment of the officals so apponted.

Clause 1 was adopted.

On clause 2,

(2) With respect to the provision in the estimates for the payment of a salary of $600 a year to a private secretary to his honour the Speaker, your committee would observe that the Speaker of the Senate never has had a private secretary, and, as Speaker, he has no need of the services of a private secretary: They therefore recommend that no such salary be paid out of the sum appropriated to the Senate under the estimates:

They further recommend that Mr. Simeon Lelièvre devote his whole time to the service of the Senate.

Inasmuch, however, as his honour was apparently under the impression that, as Speaker, he was entitled to the services of a private secretary, and under this impression, appointed Mr. Lelièvre, your committee would not oppose the payment of the amount shown by the supplementary estimates for such services and payable up to the 31st March, instant.

Hon. Mr. THOMPSON moved that the second paragraph be adopted. He said: The remark has been made that when the estimates were referred to the committee they were not accompanied by a recommendation from the Speaker, but we had a letter written by the Speaker himself, in November, telling the Clerk that he had appointed a secretary under a certain Act, and he wanted the salary paid in that way.

Hon. Mr. LANDRY (The Speaker)—How did that letter reach the committee? Where was the reference made by the Senate to the committee? There was no reference.

Hon. Mr. THOMPSON—We did not require to have a reference.

Hon. Mr. LANDRY (The Speaker)—Certainly the committee required a reference. The committee has a right to make their report on questions referred to the committee, but the committee have no right to go into the office of the Clerk and the Clerk had no right to give that letter to the committee. Where was the order? If the order had been given by the Senate, well and good, but the order was not given by the Senate. When was that letter given? It was given after the committee had met and decided, but the only order of reference that has been made is the order passed in the month of March, in which it was stated that the budget, at page 39, is submitted to the committee, and those estimates contain no item whatsoever of that salary paid to the Speaker's private secretary. So I say the hon. gentleman has no right to come in and recommend the payment or non-payment of that salary. Why? Because it is not within the competence of the committee; it is not within the competence even of the Senate. A minister may choose any one he likes for his secretary, as hon. gentlemen will see by reference to section 31 of the Act. The choice of secretary is withdrawn from the Civil Service Commission. The Speaker may choose any person he likes, and that person is not obliged to undergo the examinations that the law imposes on all other employees. Why? Because it is a personal matter. The only question is, has the Speaker a right to have a secretary? He has a right by the law; nobody can deny that. The law says that the Speakers of the two Houses are similar to heads of departments, and the law gives the head of any department whatsoever the right to have a

secretary, and to choose his secretary whether he belongs to the civil ervice or not. If he does not belong to the civil ervice, he goes to class 'A' of the second division with a salary of $2,100. if he is a member of the civil service, he is entitled to $600 for his service as secretary. Would the hon. gentleman prefer that I should choose my secretary outside of the civil service at a cost of $2,100, or select a secretary at present in the service at a cost of $600 to the Senate? The law gives me the alternative, and I chose the less expensive way. Why should the hon. gentleman complain? He says former Speakers did not have secretaries. Why? Because the law did not make provision for it, but under the present Act, as head of a department, I have a right to a secretary. I contend the Senate has no right to pass judgment on my action in that matter, because in doing so it is asserting a power which it does not possess. It was a personal act quite outside of the statute, though that peculiar power is given by the statute itself.

Hon. Mr. CHOQUETTE—On this point I agree with the Speaker, and really, the chairman of the committee must see the false position in which the committee has placed the House in making this report. Clause 2 is undoubtedly out of order. The reference is to salaries and contingencies of the Senate at page 39 of the estimates, but in the estimates we do not see a word about Mr. Lelievre. Reference has been made to a letter, but it is a letter which was not referred to a committee of this House, so it is quite clear that this part of the report is out of order. It is said that Mr. Lelievre should devote his whole time to the services of the Senate. There is no doubt the Senate has a right to say how its employees shall occupy their time. We know that Mr. Lelievre is qualified for his work, but there was not a word said about him to the committee and how can they make this report. They add:

> However as his honour was apparently under the impression, that, as Speaker he was entitled to the services of a private secretary and under this impression appointed Mr. Lelièvre, your committee would not oppose the payment of the amount shown by the supplementary estimates, &c.

For all these reasons I would ask the chairman of the committee to drop that recommendation, which certainly has been inserted under a misunderstanding, or because of misinformation. I am strongly with the Speaker when he says that it is out of order.

Hon. Mr. POWER—His hon. the Speaker seemed to wonder how it was that the Chairman of the committee became conversant with this letter, and intimated that the Clerk of the House had no right to allow the letter to pass out of his possession or to be seen by any one but himself. The position is this: The Speaker of the Senate never has had a private secretary. The Senate takes the place of the Governor in Council. A private secretary cannot be appointed without the concurrence of the Governor in Council. When we arrived here at the opening of the session, we found that, without any reference to the Senate whatever, a permanent charge was attempted to be placed upon the revenues of the Senate, and it was very natural that the Chairman of the Committee on Contingent Accounts, whose peculiar duty is to look after the financial affairs of the Senate, should wish to know how this charge came to be made against the Senate. I assume that he went, very properly and naturally, to the Clerk who is the chief executive officer of the House, to find out on what authority this had been done, and thereupon I suppose the Clerk showed him the letter of his hon. the Speaker.

The Clerk did nothing but his duty in the matter, as I take it. I think what I have said goes to show that his honour the Speaker is completely wrong, because no fixed charge can be made on the revenues of this House without the consent of the House, and that consent has never been given. No matter whether this question was referred to this committee or not, the matter has now been brought to the notice of the Senate, and the Senate is in a position to deal with it as it pleases. Just as the Governor in Council could deal with the question of the private secretary of a member of the government.

Hon. Mr. LANDRY (The Speaker)—Could the hon. gentleman prove what he says? It is a simple assertion.

Hon. Mr. POWER—I think what I say is self-evident. The Senate takes the place of the Governor in Council.

Hon. Mr. LANDRY (The Speaker)—Not for that purpose. If the hon. gentleman says so, that does not prove it.

Hon. Mr. POWER—The hon. gentleman says the Senate is the Governor in Council when it suits him, but when it does not suit it is not the Governor in Council.

Hon. Mr. LANDRY (The Speaker)—That question is not referred to the Governor in Council

Hon. Mr. POWER—The Speaker referred to section 39 of the Act, saying he might have taken a person outside the civil service without examination, to be his private secretary, but if he had looked at section 45 of the Civil Service Amendment Act of 1908, he would have found that there was no authority given to the Speaker of either House to do what the minister is allowed to do under section 39.

Hon. Mr. THOMPSON—That is right.

Hon. Mr. POWER—Section 45 reads:

Whenever, under sections 5, 8, 10 (paragraph 6 of subsection 1) 21, 22, 23, 24, 26 (subsection 2)—

Hon. Mr. LANDRY (The Speaker)—I admit that.

Hon. Mr. POWER—The hon. gentleman is wrong when he says he might have gone outside and brought in a private secretary. Without the knowledge of the Senate the Speaker has undertaken to appoint a private secretary. I say, having been Speaker myself, that the Speaker of the Senate, as such, has no need whatever of a private secretary. As Speaker he has no correspondence. In addition to appointing a private secretary without taking the House into his confidence, the Speaker took one of the best messengers we had and appropriated him to his own use.

Hon. Mr. LANDRY (The Speaker)—I suppose if the hon. gentleman chooses to—

Hon. MEMBERS—Order, order.

Hon. Mr. LANDRY (The Speaker)—If the hon. gentleman chooses to accuse me, I will have the opportunity to answer.

Hon. Mr. POWER—Of course. I shall just ask the hon. Speaker if it is not a fact that Alphonse Roy, who has been one of the messengers of the House, is acting now as his messenger. When I was Speaker I had two messengers. Now there are four employees there besides the private secretary. There is another point. Mr. Lelievre is the chief French translator, and he is also second clerk assistant, and, unless I am very much mistaken, a few months ago it was thought Lelievre had too much to do, as things stood, and that there should be some addition to the translating staff. Now his honour the Speaker, without taking the Senate into his confidence, undertakes to take one of the principal officers of the Senate and make him his private secretary. What sort of order is that? How can the Senate carry on its business if the Speaker is at liberty to do things of that sort?

Hon. Sir MACKENZIE BOWELL—The objection I have to this clause is that it declares—it may or may not be true—the services of a private secretary are not necessary, and then it declares that that private secretary having been appointed by the Speaker shall not be paid out of the appropriation of the Senate. First of all we have no official information that a private secretary has been appointed, so far as the Senate is concerned.

Hon. Mr. POWER—We have the acknowledgment of his honour the Speaker.

Hon. Sir MACKENZIE BOWELL—But I am speaking of official information given to the Senate, nor has there been any application, made by the Speaker or any one else, for the payment of this secretary out of the appropriation made for the carrying on of the business.

Hon. Mr. POWER—I should like to ask the question.

Hon. Mr. LANDRY (The Speaker)—The hon. gentleman is out of order. He has already spoken twice.

Hon. Mr. POWER—I was only asking a question.

Hon. Mr. LANDRY (The Speaker)—I ask for the ruling.

Hon. Sir MACKENZIE BOWELL—The rule of parliament is this: if a gentleman is speaking and a question is put to him, it is for him to say whether he will allow the interpretation or not.

Hon. Mr. POWER—I was simply going to ask the question.

Hon. Mr. LANDRY (The Speaker)—If any other member desires to ask the question, all right.

Hon. Mr. POWER—I will take the ruling.

Hon. Mr. ELLIS (in the Chair)—We have not been very particular in the past about observing the rule where a member rises, and simply desires to ask a question.

Hon. Mr. POWER—Does the hon. gentleman from Hastings not think it was the duty of his hon. the Speaker, at the opening of the session, to have announced the appointment he undertook to make?

Hon. Sir MACKENZIE BOWELL—I frankly admit I think it would have been much better if he had done so, and, also admit that the doctrine laid down that a private secretary cannot be acknowledged or receive pay unless his appointment has been approved by the Governor in Council. In this case the Speaker, acting under the authority which I think he posesses, made the appointment. It would have saved trouble had he reported to the House. He has applied to the Governor in Council and the appropriation has been made and appears in the estimates to-day for the payment of the salary. Then why the necessity of declaring in this report that the secretary shall not be paid out of the appropriation made for the Senate, when nobody asked for it. The Speaker has not asked for it, and the Clerk of the Senate has not recommended it. With all due deference to the chairman and members of the committee, I think it would not be an infringement of their dignity if they withdrew that portion of the report because the Senate has never been asked to do that which it implies that they have been asked to do.

The motion to adopt the second paragraph was put and carried.

Hon. Mr. THOMPSON moved the adoption of the 3rd paragraph:

(3) In respect to another item appearing in the estimates for a like service, your committee have been advised that no such change would appear in the expenditure to be made by or for the Senate.

Hon. Sir MACKENZIE BOWELL—Before section 3 is adopted; I understand from the remarks made by the hon. gentleman from Halifax, that the private secretary is a gentleman in the civil service, and this provides that Mr. Simeon Lelièvre shall devote his whole time to the service of the Senate. Now, is this gentleman a private secretary. If he is the passage of this Act deprives him of the right of acting as a private secretary, and how are you going to prevent him supposing he sets this at defiance? Then the next Senate would have to take action and dismiss him.

Hon. Mr. POWER—That is provided for.

Hon. Sir MACKENZIE BOWELL—You could not prevent him from being paid, because it is in the appropriation, and the Finance Minister could pay him any time he liked.

Hon. Mr. WATSON—I think it is a matter of choice, if the gentleman does not wish to act as private secretary to the Speaker, then we should give him the position as chief translator. I do not think the chief translator should act as secretary to the Speaker.

The paragraph was adopted.

On paragraph 4,

(4) As to the reference, submitted to your committee, of the Speaker's recommendation for an additional payment of the sum of $10 per month to R. Mackay, nightwatchman, who is an employee of the Public Works Department, and is assigned to this duty. Your committee are of the opinion that under section 38 of the Civil Service Amendment Act of 1908, the Senate has no power to add

to the salary of R. Mackay, but would strongly commend the case of Mr. Mackay to the favourable consideration of the Department of Public Works, with the hope that the said increase map be granted to him, and your committee suggest that a copy of this resolution duly certified be forwarded to the Department of Public Works by the clerk or the Senate.

Hon. Sir MACKENZIE BOWELL—I call attention to what I consider an error in this clause. The chairman of the committee has forgotten, or overlooked, an amendment made in 1910, to section 38 to which this paragraph refers, this section 38 was repealed, hence the application of the payment of that money under the amended Act applies only to those on the permanent list. In substitution for section 38 referred to in the report. The amended clause reads:

In the absence of special authority of parliament no payment additional to the salary authorized by law shall be made to any deputy head, officer, clerk, or employee permanently employed in the civil service in respect of any service hereafter to be rendered by him whether in discharge of the ordinary duties of his office or of any other duties which may be imposed upon him or which he may undertake or volunteer to discharge or otherwise perform.

That applies to all officials who are permanently appointed, from the Clerk downward to the lowest official, and it continues:

And no vote expressed to be made generally, though qualified by the words 'notwithstanding anything in the Civil Service Act' or words to the like effect, shall be deemed to authorize such a payment.

It will be readily understood why that provision was put in this clause—because the Civil Service Act was being over-ridden scores of times, in every estimate that came down by providing a payment of money 'notwithstanding the provisions of the Civil Service Act'. Then it goes on:

Provided, however, that nothing in this section is intended to prohibit the payment to any officer, clerk or employee in the outside service of a separate annual salary from each of two or more departments or distinct branches of the public service in respect to separate duties performed in the outside service for each of such departments or branches separately if one of such salaries is not sufficient to compensate him for the whole time, &c.

What I want to point out is, that the clause referred to in this report has been repealed by the Act I have referred to, and the services mentioned in the report have been performed not by a permanent officer, as I understand it.

Hon. Mr. POWER—Yes, he is a public officer.

Hon. Mr. THOMPSON—He is a permanent officer of the Public Works Department. He belongs to a staff of sorters or messengers.

Hon. Mr. LANDRY (The Speaker)—No, he is not a permanent officer.

Hon. Sir MACKENZIE BOWELL—I have made inquiry about that, or I would not have made the statement. He is a temporary employee, and he has been paid this $10 per month in addition to the salary which has been paid to him as night watchman, apart from the services which he undertakes. It is not necessary for me to discuss the propriety of the employment. I think it is a great oversight and unpardonable—whether or not it is a criminal one—that this portion of the parliament buildings should have been allowed for so many years, to be looked after by the ordinary messengers who pay very little attention to it, and not by a night watchman. The sudden disappearance, I will not say stealing, of articles during the night, on account of their being no night watchman, made such provision necessary in the interest of the Senate. However, that is a question that can be discussed afterwards. Notwithstanding what I have said about my hon. friend overlooking the amendment to the clause referred to in this Act, you may pass the report if you like, but if you will permit me to say it, and I do not say it disrespectfully, the whole report is a conglomerate mass from beginning to end which means nothing but an interference with that which the committee has no right to interfere with.

Hon. Mr. LANDRY (The Speaker)—Before the motion is carried I will, on this clause, make a proposal to the hon. Chairman of the committee. He would see now that he is mistaken in the 4th paragraph, but I will make this proposition—to let him make a memorandum on the whole case and I will hand over the decision I

gave and take the opinion of the Minister of Justice, and I will give him time to make a memorandum in answer to my ruling.

Hon. Mr. THOMPSON—Section 38 of this Act is specially made applicable to the Senate. After that is amended in another Act I presume its application would still continue to apply to the Senate, although, of course, this amending Act does not refer to the Senate or the House of Commons at all.

Hon. Sir MACKENZIE BOWELL—It applies to the civil service.

Hon. Mr. THOMPSON—But the application is to the outside service. The night watchman belongs to the inside service.

Hon. Mr. LANDRY (The Speaker)—I beg your pardon, he belongs to the outside service.

Hon. Mr. THOMPSON—I am perfectly willing to have this 4th paragraph referred back to the committee for reconsideration if they think proper.

Hon. Mr. LANDRY (The Speaker)—Let it go.

Hon. Mr. WATSON—I move, in amendment, that paragraph 4 be referred back to the committee for further consideration. I think it is the wish of the Senate that this night watchman, Mr. Mackay, should receive increased pay, and if a mistake has been made the committee can rectify it.

Hon. Mr. CHOQUETTE—Why not amend it now? I move in subamendment that the salary of Mr. Mackay be increased by ten dollars a month.

Hon. Mr. CLORAN seconded the subamendment, which was put and carried.

Hon. Mr. THOMPSON moved the report, as amended, be adopted.

Hon. Mr. LANDRY (Speaker)—I give notice to the hon. the chairman of the committee that I will hand over my decision to the Minister of Justice so that he may be in a position to answer it, and I will ask the decision of the Minister of Justice on those points that I gave.

Hon. Mr. POWER—I wish to say, as a member of the House, that the Minister of Justice is not a court of appeal from the decisions of the Senate.

Some hon. GENTLEMEN—Hear, hear.

Hon. Mr. LANDRY (Speaker)—If he is not a court of decision why was Mr. Newcombe's decision brought here?

Some hon. GENTLEMEN—Order.

The motion to adopt the report, as amended, was then put and carried on division.

CANADA GRAIN BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. LOUGHEED moved the House in Committee of the Whole on Bill (32) An Act respecting grain.

On clause 124

124. There may be such number of hospital elevators as are determined by the board, which shall be governed by such regulations and restrictions as are imposed by the board.

2. Any such elevator shall be required to take out a license and furnish a bond in such amount as the board determines.

3. Notwithstanding anything in this Act, but subject nevertheless to the provisions of section 99 and subsection 5 of section 115, grain which is being shipped out from a hospital elevator shall, at the request of the owner or possessor thereof, or of his authorized agent, be inspected and graded and the grade so arrived at shall be the grade thereof.

Hon. Mr. YOUNG—Can you declare a building a hospital elevator, anywhere that the board see fit—Winnipeg, Moosejaw, Calgary?

Hon. Mr. LOUGHEED—I am informed, yes.

On clause 133,

133. Upon the return of any terminal warehouse receipt by the holder thereof, properly endorsed, and the tender of all proper charges upon grain represented thereby, such grain shall be immediately delivered within 24 hours after demand has been made, and vessels therefor have been furnished for that purpose, and shall not be subject to any further charges for storage: Provided that if it should happen that, in consequence of the vessels not being furnished until after the

expiration of twenty-four hours as aforesaid, a new storage term shall be entered upon, then the charge for storage shall nevertheless be made, but only on a pro rata basis in respect of the time which shall have elapsed after the expiration of the twenty-four hours as aforesaid, and the time when the vessels actually arrive.

2. Subsection 1 shall apply to the delivery of grain to cars upon the return of any terminal warehouse receipt; provided, however, that the owner of such receipt or the terminal elevator warehouseman shall make demand in writing upon the railway company to place the necessary number of cars upon the elevator track. Should such demand not be complied with within the said twenty-four hours the owner or warehouseman may apply to the board, which shall thereupon investigate the case. If, upon investigation, it is found that the railway company is not using due diligence in providing such number of cars as can be reasonably transported, the board shall thereupon so notify the company. Should the company fail to comply forthwith, the board may make application to the Board of Railway Commissioners for Canada, which shall investigate the complaint and may order the company to forthwith provide the cars deemed reasonable by the board. In case the number of cars ordered by the said Board of Railway Commissioners is not so furnished, the company shall be responsible for the charges for such extra storage as are fixed by the said Board of Railway Commissioners, and shall, upon demand, pay such charges to the board, which shall thereupon pay them to the owners of the terminal elevator receipt. The board shall make such regulations for application for and delivery of cars as seem necessary.

Hon. Mr. CAMPBELL—I have a slight amendment to propose. I move that clause 2 of section 133 be amended by striking out the words on line 26 after the word 'that' down to the word 'the' at the end of the said line, and insert the words 'storage on the grain shall cease as far as the owner of such grain is concerned ten days after the receipt of shipping instructions.'

I am told and believe that there are five million bushels of grain in Port Arthur and Fort William which was ordered out as far back as last December for mills in Ontario and Quebec, and it is not yet shipped. The Canadian Pacific railway are carrying the grain from their own elevators by thousands of cars right through to fill their own orders for export. Why do the elevators hold it back? Because they have storage charges which are excessive. I think that should not be allowed. If we provided that ten days after shipping instructions the storage charges should cease, they would not have any object in holding it back. Compare the elevators at Fort William and Port Arthur with the eastern terminal elevators at Midland, Port McNicol, Owen Sound, Goderich and Port Colborne. The moment you surrender your bills of lading and order the wheat out the storage ceases and there is no object in holding it back. At Fort William and Port Arthur, the initial charges on grain are as much as the storage charges for two months on the eastern terminal elevators. At Port Arthur and Fort William, the moment the grain enters there is three quarters of a cent storage for fifteen days, and one-thirtieth after that, as long as it remains there. On the eastern elevators, storage is only half a cent for the first month and only a quarter of a cent for fifteen days after that. The storage at Fort William and Port Arthur is four times the charge made in the eastern elevators. The western elevators have made large sums and have paid as high as 40 per cent dividend. If I buy 4,000 bushels of grain from Carruthers, or some other firm, they do not know when they will be able to get it or what the charges will be and they have to speculate. The elevators are charging 3 1-2 cents a bushel for grain which was ordered last December, and is not yet taken out. If the railway could not ship it out there would be some excuse, but when we know they are shipping hundreds of thousands of bushels there is no excuse.

Hon. Mr. LOUGHEED—Let the clause stand.

Hon. Mr. YOUNG—Subsection 2 of this clause is new.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. YOUNG—You must read 134 in connection with 133. The additional penalty is provided for anybody who defaults in delivery. My hon. friend is right as to the loss which occurs to the millers by ordering grain and not having it go forward, but I understand they have submitted the case to the Railway Commission.

Hon. Mr. LOUGHEED—The point mentioned by my hon. friend might be made the subject of great abuse. Let us assume

that the Canadian Pacific railway had certain grain in their terminal elevators, and a rival road made a demand upon them to deliver that grain at a certain point, it is not conceivable that such a demand should be satisfied in that way. They might have to carry the grain, for instance, to one of the ports of a rival road. It should be qualified.

Hon. Mr. BEIQUE—There is something in the suggestion, but surely it would require very serious consideration and some provision should be made.

Hon. Mr. YOUNG—There are many private owned storage elevators at Port Arthur and Fort William that have no cars and no railway and the grain might be in one of those terminal elevators, and they are at the mercy of the railway company in the matter of furnishing cars, so that you have three complications there. This clause provides that in the event of grain not being shipped forward promptly, the board may investigate and penalize, and may order the cars. They deal with the matter in whatever way it appeals to them. It strikes me there is more substantial relief in this subsection, which is placed in the Act for the first time than ever has been there before for the gentleman whose case my hon. friend has so ably presented.

The clause was allowed to stand.

On clause 136,

136. The warehouseman of every terminal elevator shall, as directed by the board, render a weekly statement to the board of the quantity of each kind and grade of grain in store in his warehouse and of the total amount of fire insurance thereon.

2. Such statement shall be in the form of a statutory declaration, made by one of the principal owners or operators of such terminal elevator, or by the bookkeeper thereof, having personal knowledge of the facts.

Hon. Mr. YOUNG—This provides for weekly statements of grain in store. I raised the point before. The elevators are called upon to make a weekly statement. The inspection department makes a weekly statement. It would be well that there should be a uniformity of dates, and some of these places are a considerable distance from the centre.

Hon. Mr. LOUGHEED—That has been kept in view, and I have no doubt it will be arranged so that the returns will be of a uniform date.

The clause was adopted.

On clause 207,

207. The board may, in its discretion, order cars to be supplied contrary to the provisions of this part,—

(a) to elevators that are in danger of collapse;

(b) to places where grain is damp and thereby liable to become damaged;

(c) for the purpose of distributing seed grain to any point in the western division;

(d) in cases 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 the terminal elevator for treatment: Provided, however, that no relief shall be granted in such last mentioned cases as long as the warehouseman has sufficient room in his building for the rehandling of such grain;

(e) whenever, after due examination, the board considers it necessary and advisable, in order to relieve congestion and facilitate the despatch of grain.

Hon. Mr. DAVIS—The people of the west are opposed to this clause being incorporated in the Bill. They have put up a strenuous fight to get cars. There was a time when they could not get cars. Under the existing law there is a distribution of cars and everybody gets his share, the farmer as well as the elevator man. The grain growers of the west look upon this as practically doing away with their rights in the matter of getting as fair a share of cars as they did under the late Act. They feel pretty strongly on this question. I have received resolutions from the different bodies of grain growers in the west. One reads as follows:

At a large united meeting of grain growers representing three local associations, namely, View Hill, Estevan and Bienfait, held in View Hill school house on Friday, March 15, the following resolution was unanimously carried:—

(a) Resolved, that we the grain growers in this district now in session do look with fear and alarm on the amendment passed by the House of Commons re the Manitoba Grain Act, section 207, regarding the distribution of cars, which Act was meant to safeguard the interests of western farmers from the unjust extortion of the elevator operators, and we earnestly protest against any interference or alteration of section 207 of the Manitoba Grain Act, more especially because of the proposed amendment.

I have received any number of resolutions to the same effect. Here is another:

Battleford, Sask., March 21, 1912.

To A. Champagne, Esq.,
House of Commons, Ottawa.

Sir,—I am instructed by the West Eagle Hills Grain Growers' Association to send you the following resolution passed at our regular meeting March 20:—

Resolved, that this branch of the Saskatchewan Grain Growers' Association strongly protest against any changes in section 208 of the Grain Act, otherwise known as the distribution clause of the Grain Bill.

If this reaches you too late to be of use to you personally, I would request that you forward it where it will do most good.

Yours respectfully,
G. TRUSCOTT,
Sec.-Treas

The feeling of the farmers with reference to this matter is generally known. I hold in my hands some resolutions passed incorporated in a letter sent to members of this Senate. I suppose hon. gentlemen received them. This is from the Canadian Council of Agriculture, which represents all the different associations in Canada. It reads:

March 12, 1912.

Sir,—The Canada Grain Bill has now passed its third reading through the House of Commons and we cannot help being alarmed at the decision arrived at in the House, more especially that one covered by subsection (e) of section 207, relating to the distribution of cars.

This matter was fully considered at the annual meeting of this council held in Regina some time ago, and the decision arrived at, by a unanimous vote, was as follows:—

'That this council endorse the action of the delegates to Ottawa, representing the three western provinces and consisting of Messrs. Henders, McKenzie, Hopkins, Green and Fream, and the views submitted by them to the government, and again place on record our firm belief that nothing short of government operation and control, either by lease or purchase, of all terminal and transfer elevator facilities through an independent commission, will ever relieve the adverse conditions now existing; further, that it is essential that no change shall be made in the clauses of the Grain Bill relating to the distributing of cars, as any tampering with the rights pertaining to the producers in this direction will work a great hardship upon these producers and will not tend to relieve the car shortage, which shortage can be traced to the inability of railway companies to handle the business consigned to them;

'Further, it is our opinion that if any change is contemplated in this direction it will be better to drop the Grain Bill entirely and continue to administer the grain business through the provisions of the Manitoba Grain Act as it now reads.'

Hon. Mr. DAVIS.

The above resolution contains the well considered views of the farmers of western Canada, and as they are the ones who are most interested in the new Grain Bill, we think these views should receive the consideration they deserve, and we are therefore appealing to you to use your influenec in having the unnecessary and unfair amendments struck out of the Bill when same is before you in the Senate.

Another amendment has also been introduced, and passed in the House of Commons. This relates to the establishment of a sample market, and we would ask you to use your influence in getting this new section struck out of the Bill also.

A committee representing the Western Grain Growers will be in Ottawa in the course of a few days to take up this matter more fully with you, but in the event of the Bill being introduced before the arrival of this committee, we would respectfully ask you to consider our objections and to use your influence in seeing that the Bill is put back into its original form.

For ten years now the grain growers have been fighting for their rights and for a square deal in the marketing of their grain, and we believe that if the Grain Bill is allowed to pass through the Senate in the same form that it will be presented to you the result will be that all the privileges which the grain growers have fought so hard for will be lost.

Rather than have this happen we would prefer to see the Bill defeated entirely, and we would therefore appeal to you to assist us in protecting the interests of all the farmers of western Canada by either striking out these harmful amendments or by defeating the Bill entirely.

We prefer the old Manitoba Grain Act to the Bill which is being presented to you for your consent, and therefore when we present this, our most emphatic protest, to you we do so resting assured that you will carefully consider same and that the clauses which have been added to the Bill will be carefully studied by you.

We would also ask you to be good enough to receive the committee which will await on you at an early date and to assist them in having this most important matter rectified.

We consider that the Grain Bill is the most imporant legislation before the House this session, and as it is of vital importance to the farmers of western Canada, we would ask you if you find it impossible to defeat the amendments already refeured to, to assist us in protecting our rights by giving the whole Bill the regular six months' hoist.

Thanking you in anticipation of your favourable consideration.

Yours very truly,
EDWARD J. FREAM,
Secretary.

Surely these gentlemen, after having presented their views in such concise form deserve some consideration. To show our hon. friends it is not a political matter at all—because we do not want to make anything out of this politically—in the House of Commons I understand a hon. gentleman

from Lisgar (Mr. Sharpe) and the hon. member from Souris (Dr. Schaffner) voted to eliminate the clause from the Bill. Both sides of the legislature of Saskatchewan passed a resolution in favour of expunging this clause from the Bill. Surely when we find the Canadian Council of Agriculture, representing the farmers all over the west presenting a petition of that kind to the Senate asking to have this clause struck out, and when we find the legislature of Saskatchewan representing the whole of the people of Saskatchewan asking the same thing, and members on both sides in the House of Commons opposing the clause——

Hon. Mr. YOUNG—How would the clause get here if they were all agreed to strike it out?

Hon. Mr. DAVIS—Because the minister introduced the Bill, and the hon. gentleman knows when a minister introduces a Bill it is hard skating to go against it. Are we going to legislate in the interests of the farmer or in the interests of a few people who are making money out of the grain, the middlemen? The farmers came down here about this proposition, and they were in a deplorable state before this Bill was passed. They were opposed by the Grain Exchange and the railways. It is not necessary for me to point out why? Because the grain people controlled pretty nearly all the elevators, and if they can provide cars whenever ordered they would simply shut out all competition.

Prices have gone down very little since the farmers have had the right to ship their own grain, but if you remove their rights to load from the platform, prices will go down again. They will practically have to take any prices that may be offered. When all the farmers of western Canada are a unit on this, we should give heed to their request and eliminate clause (e). I am equally opposed to clause (d) for the simple reason that when this measure came before the House I strongly opposed it. I thought it was the thin end of the wedge on the part of these people to do away with the use of cars. The reason I gave has been justified by the action of the people of the west. In place of assisting the farmers to get rid of damp grain, it has had the opposite effect. Certain elevator men have taken advantage of the clause to get out their first-class grain, and while those cars were hauling out first-class grain to the terminals, the other grain that these cars should have been used for had to lie there, and the grain, I suppose, practically rotted. Under the old distribution, every person would have got a share of the cars.

Hon. Mr. LOUGHEED—I dare say the officer of the department charged with the administration of the Act would have more information on that subject than the hon. gentleman has. I have before me a statement of the warehouse commissioner pointing out that this relief is only invoked on sworn evidence, and since it has gone into effect, from the 19th February to the 19th March, relief has been given in the matter of seed grain to the extent of 138 cars, and in the matter of damp grain 819 cars. In all 1,562 cars have been moved under this relief clause.

Hon. Mr. DAVIS—Was that general all over the country or from some particular point?

Hon. Mr. LOUGHEED—I will read the letter:

Office of the Warehouse Commissioner,
Western Grain Inspection Division,
Winnipeg, March 19, 1912.

F. C. T. O'Hara, Esq.,
Deputy Minister,
Departmetn of Trade and Commerec,
Ottawa, Ont.

Grain Act.

Sir,—In compliance with your request of the 15th inst., I have pleasure in submitting report showing the measure of relief afforded in consequence of the special Act of parliament which was put through as an amendment to section 99b in connection with the distribution of cars.

	Cars.
Relief afforded in accordance with section 99b from 19th February to 19th March..	605
Relief afforded under new amendment—	
Seed grain.. 138	
Damp grain.. 819	
——	957
	1,562

In connection with the above I desire to submit the following:—

In every case where cars were asked for out of turn either for the shipment of seed grain, or damp or wet grain, I have required a sworn declaration in support of the facts from the applicant. Where grain is stored in an elevator and more than one car has been required at a time, I have in most cases ordered the necessary number of cars out of turn for shipment of such grain. Where individual farmers have applied I have limited each applicant to one car at a time; any such applicant can, however, after loading his first car, by sending me an affidavit, get a second car out of turn, and so on. While many farmers have more than one car of damp grain to ship, I have only allowed them one car at a time out of turn, because few if any farmers can load more than one car in twenty-four hours, and it would only have caused serious congestion by adopting a different plan. So far I have only granted relief where grain was either damp or wet. When this class of grain, however, is worked off some latitude will have to be allowed so as to work off tough grain, as there is no question that a great deal of this class of grain, when the warm weather comes, will have to be dried to make it fit for warehousing. The drying plants at Fort William, Port Arthur and Duluth are only handling damp and wet grain at present; in fact Duluth elevators have refused to take into store tough grain until they get more ahead of the drying.

Very few complaints have been made in connection with the shipment of grain under the present scheme of relief; that is to say, dry grain has not been shipped out under improper applications for cars out of turn. Some of the applicants have already had two cars, and later on will apply for a third and fourth. We shall be lucky if the damp and wet grain is all got rid of by the first half of May. Had the special Act not been put through parliament when it was, very little, if any, of the above shipments would have been got out in time to save the whole of this grain from spoiling. The total number of cars supplied to elevators out of turn from the 1st September to the 18th March is 1,252 cars—605 having been supplied since the 17th February.

I have been watching this matter very closely all season so as to render all assistance possible in getting damp grain promptly forwarded to the terminal for treatment.

I have the honour to be, sir,
Your obedient servant,
(Sgd.) CHARLES C. CASTLE,
Warehouse Commissioner.

I should prefer to take a statement such as this from a responsible officer who has been in the employment of the government for a number of years, charged with the administration of a very important industry, than the promiscuous statements made by the man in the street about which he has no evidence whatever. I think a law of this kind will appeal to to the House as wise legislation.

Hon. Mr. LOUGHEED.

Hon. Mr. DAVIS—Who is the officer?

Hon. Mr. LOUGHEED—The warehouse commissioner, Mr. Castle.

Hon. Mr. DAVIS—The commissioner says that 819 cars of damaged grain have been shipped out in a certain length of time since the Act came in force.

Hon. Mr. LOUGHEED—No, I said from the passing of the Act.

Hon. Mr. DAVIS—Is there anything in that statement to show the number of cars that have been shipped out from elevators, and the number shipped out from farmers loading platforms, of damp grain? My hon. friend has read the statement from the commissioner sitting in Winnipeg. He says he has a sworn affidavit; I suppose he has. Somebody writes down and says: 'I have so many cars,' and he says he has an affidavit. Does he know that the law has not been broken?

Hon. Mr. LOUGHEED—All I can say is this: the best that any government can do is to employ as capable men as they can secure to carry out and administer the law. The government of the country has to depend on officials of that kind. In all probability we can accept the statements of officials of that kind as more reliable than the very promiscuous statements made, as I have said, by a man in the street, based on some report which proves baseless after investigation. Now, I cannot give my hon. friend the particulars which he asks, but we have to assume that Mr. Castle, the warehouse commissioner, is properly performing his duties under the Act.

Hon. Mr. TALBOT—Is it not found out when this wheat goes through Winnipeg, or even when it reaches the terminal elevators and is there examined? And is the statement true that it is inspected there and is reported to be all right, and not damaged? Now the grain is reported to be inspected in Winnipeg and not damp; it certainly was not damp when it left the elevator.

Hon. Mr. LOUGHEED—What is that?

Hon. Mr. TALBOT—When this grain is going through Winnipeg it is inspected and

graded, and if statements that have been made to me personally are correct, that grain is not damp, and is examined there and passed as good grain and in first class shape. If that be so, the grain was not damp when it left the elevator, and the commissioner is wrong.

Hon. Sir RICHARD SCOTT—Is it not a want of confidence in the board? It seems to me the board is better able to decide. What is the use of the boards if they cannot be relied upon? You are asking this committee to decide against the boards.

Hon. Mr. TALBOT—If the commissioner allows grain to go out that is claimed to be damp, and when it reaches Winnipeg and is examined and inspected there it is found not to be damp, then something is wrong.

Hon. Sir RICHARD SCOTT—Dismiss the boards, that is all.

Hon. Mr. BEIQUE—When the special Bill, to which reference is made, was passed some time ago, it was considered that it was to be a temporary measure to afford relief to the farmers who had damp grain. It appeared to me, as one of the members of this House then, that it was understood it would not be embodied in the permanent Bill, without the matter being fully considered. For my part I would be disposed to go a long way towards satisfying the wishes of the farmers in the west. They are the parties mainly interested; they are supposed to be the judges of their own interests; and we should defer to a considerable extent to their wishes in the matter. Had they presented a strong objection through their delegations, when their delegates were heard before the members of this honourable House last week, I would have been disposed to grant their wishes. But when their delegates were heard before a large number of members of this House last week they said that although they were afraid of the operation of paragraph (b) of section 207 and that although they were under the impression that so far it had been abused to some extent, they did not base their objection on that subsection. They said that they would be satisfied if subsection (e) were struck out. In face of the position taken by the representatives of the farmers in the west it seems to me we should maintain paragraph (b) because paragraph (b) appeals to common sense. It was necessary this year to pass the Act to come to the relief of those farmers who had wet grain, which otherwise would have been lost, and the same condition may obtain next year or at any future time. But I must say as regards section (e) taking into consideration the very strong objection made by the representatives of farmers, and their being unanimous as regards this objection to that subparagraph, I would be disposed to strike it out.

Hon. Mr. DAVIS—That is all we are asking.

Hon. Mr. YOUNG—Then you leave (b) as it is.

Hon. Mr. DAVIS—Leave (b) but strike out (e).

Hon. Mr. BEIQUE—I quite realize that there are much stronger grounds taken against this paragraph 'e' than against 'b.' The operation of paragraph 'b' would be easily controlled, it is to be limited to wet grain, or where grain is damp and thereby liable to become damaged, therefore it is easy to control the operation of this subsection, but when one comes to subsection 'e,' that is a paragraph which could easily be abused, and it would be difficult for the farmers to control the action of the board if it were abused. A ground which was urged and which struck my mind most forcibly was that the railway companies would be interested in creating a congestion in order to obtain the operation of this clause.

Hon. Mr. YOUNG—Why? What good would it be to them?

Hon. Mr. BEIQUE—To facilitate the operation of that clause.

Hon. Mr. CAMPBELL—A suggestion has been made to strike out the word 'heated' and insert 'out of condition.'

Hon. Mr. YOUNG—Does my hon. friend from Toronto object to the word 'heated' being struck out?

Hon. Mr. CAMPBELL—Yes, I decidedly do. I think the clause is right as printed.

Hon. Mr. YOUNG—You object to the same expression being used as is used elsewhere ?

Hon. Mr. CAMPBELL—Certainly, because it is under different conditions altogether.

Hon. Mr. YOUNG—Will my hon. friend turn to clause 170 and tell this House where the difference is ?

Hon. Mr. CAMPBELL—Clause 170 provides for grain out of condition, then the owner of that grain shall give notice to the board that the grain is out of condition, and then certain steps are taken. Now, if any warehouseman gets up and says, 'the grain is out of condition, and I want cars,' he will be asked in what way is it out of condition. It may be because of a danger of heating, or that some of it got a little wet, or any of a hundred ways. But this clause 207 provides that the grain must be actually heated.

Hon. Mr. YOUNG—Will my hon. friend, who is a practical miller, stand up in this House and tell me what good is left in wheat after it is heated ?

Hon. Mr. CAMPBELL—But that is not the point at all.

Hon. Mr. YOUNG—My hon. friend apparently has not grasped the meaning and intention of section 'd.' It is intended in that section to provide relief to a country elevator where grain is going out of condition.

Hon. Mr. DAVIS—What is meant by 'out of condition?'

Hon. Mr. YOUNG—'Out of condition' is grain that has passed a condition fit for warehousing, just as soon as the grain gets past a condition in which it is not fit to continue in a warehouse any longer, it is then out of condition commercially; that is the meaning of it. Now, if my hon. friend knows, as he does know, about wheat, if you have got to hold it there until it is heated, the only value it has is to shove it out on the street where it is useless. Now, the object is, of course, to get it out of there before it becomes useless. In the terminal elevators the same expression is used as in the country elevator when it comes to stepping down grain? My hon. friend will not refuse the same relief under the same circumstances? And I tell my hon. friend more, that at present with the word 'heated' in there an interpretation is given to it which is applied to the very words which I am suggesting to pu in the clause —'out of condition, or becoming so.' That is the only common sense interpretation that could be given to it. But for the sake of uniformity why not have the same expression describe the same condition all over the various portions similarly?

Hon. Mr. CAMPBELL—I do not think the hon. gentleman has read the clause carefully or he would not have made that speech. Take clause (a) where it says 'liable to become damaged.' Is that not out of conditions?

Hon. Mr. YOUNG—Yes.

Hon. Mr. CAMPBELL—Then take clause (d), and the phrase 'out of condition' occurs again. Why repeat it?

Hon. Mr. YOUNG—Because my hon. friend has not read the clause very carefully.

Hon. Mr. CAMPBELL—I say in the first place it provided that cars should be supplied where the grain is damp and thereby liable to become damaged. Cars can be supplied for the purpose of distributing seed grain; then you go on and add another condition: 'in case the operator of any elevator reports.. .. .. that the grain in such elevator is heating;' they have to provide cars. Now, refer to clause 170 and you find that it applies to a different purpose altogether; it is not for providing cars. If I have grain in my elevator, and have received it in good condition and I am afraid to give it out; but if I afterwards find that it is getting out of condition, or liable to do so, I give notice that the grain is out of condition, or liable to become so, then that relieves me from providing that good grain. My point is ex-

actly this, that it is a dangerous clause to put in. If you put it in there it only accentuates this, that the people of the Northwest are afraid that cars will be distributed and given away, when it is an easy matter to see that grain is liable to get out of condition. I think the clause should stand amended as it is.

It being six o'clock the committee rose.

After Recess.

Hon. Mr. LOUGHEED—The memorial my hon. friend read will appear in 'Hansard' to-morrow and I will submit what he has said as to limiting paragraph 3, and we will take it up finally on the third reading. I would suggest that we clean up all the other sections and let that section stand.

Hon. Mr. TALBOT—I am not sure that the amendment quoted by my hon. friend is not fixed by clause (d). I think, perhaps, this word 'heated' was put there purposely. Heated grain can be removed so that other grain can be put in its place.

Hon. Mr. YOUNG—If you will look at clause 207, section (d), you will see that same section has been in the Act for a great many years; (b) is something new. Let me suggest what will likely be the policy of the board. Strange as it may seem, grain getting out of condition, or heated, was provided for by legislation, notwithstanding the provisions of the car distribution clause. Yet no remedy was provided for grain which might be within a quarter of a mile of an elevator or warehouse and was in the same condition as that described in clause (d). There was no provision by which owners of this grain could get any relief under clause 206. Clause (b) provides for different places which my friend has very properly said in the administration of the Act is not provided for. Surely the board will confirm that to grain outside the elevators and warehouses; that is the intention of parliament. I think that is the policy that will be adopted by the board when this legislation becomes law. It looks to me that, inasmuch as you provide especially for elevators and warehouses in subclause (b) why should you apply clause (d)? Or why should it not be applied equally to elevators and warehouses and strike out (b) altogether?

Hon. Mr. DAVIS—The leader of the House knows very well that the term 'grain out of condition', is opening the door pretty wide. Anybody can say that grain is 'out of condition.' How is it to be proved that it is out of condition. I think the word 'heated' should be allowed to stand. It evidently was intended to treat heated grain especially. I submit that if you use the expression 'Out of condition' it will lead to misunderstanding; that term is very indefinite, it might be said that anything was out of condition.

Hon. Mr. YOUNG—I have no objection to the clause remaining as it is. The interpretation given by the officers so far has always been 'grain out of condition or going out of condition.' The only way to treat heated grain is to burn it up.

Hon. Mr. BEIQUE—When it is heating it can be treated?

Hon. Mr. YOUNG—Yes. When grain starts to go out of condition it commences to get warm, but we might leave the clause as it is. Gentlemen who represent the interests which my hon. friend is champion of at present, told me they had no objections to the amendment and that they thought it was all right.

Hon. Mr. DAVIS—The government has evidently put this section in the Act with the express purpose of dealing with heated grain. The grain may start to heat in a bin, and naturally when it started to heat the elevator people would notify the owner, and the grain would be taken out. The hon. gentleman says you cannot treat heated grain. You can spread it out and save it. If you leave it in a bin it gets hard and is of little use.

Hon. Mr. TALBOT—I think it might be well to hesitate before making a change in clause 'd'. Even if clause 'e' should be dropped I should like to give the leader of the government the information I have which has caused me to oppose subsection 'e' and I think 'd' as well. If my infor-

mation is correct—and I have no reason to doubt it—we have a concrete case. In a certain town in one of the western provinces, since the Bill, passed a few weeks ago, came into effect, one of the elevators get eight cars out of their order from the farmers. The farmers went to the trouble of following up those cars, took the numbers of the cars, and went to Winnipeg where the grain was inspected. They found six of those cars had passed the inspection, and the other two cars had not yet arrived. If conditions like that happen, something is radically wrong, and should be remedied.

Hon. Mr. LOUGHEED—Then we can let subclause 'b' stand until to-morrow morning.

On clause 229, subclause 3,

229. For the purpose of preserving the identity of grain in transit from Winnipeg to points of consumption in eastern Canada or to ports of export shipment on the seaboard, the board may grant to any shipper permission to lease for such term as is approved by him special bins in such terminal elevators as are necessarily used in the transportation of grain eastward from Winnipeg for the special binning of grain in transit. The bin capacity which may be so leased in any terminal elevator shall be as the board shall approve, but shall not be less than sixteen thousand bushels in any such elevator. The term of the several leases shall be as approved by the board.

2. The shipper receiving such permission may, subject to its terms, enter into an agreement for the lease of special bins in terminal elevators necessary to the transportation of grain from Winnipeg to the point of destination.

3. The rates to be paid for the lease of such special bins shall be such as are agreed upon: Provided that on payment of the regular rate for the full capacity leased for the full term of the lease the shipper acting under the permission of the board as in this section provided, shall be given a lease of the bin capacity to which he thereby becomes entitled.

Hon. Mr. YOUNG—In this clause we are providing a very strict supervision of terminal elevators at Port William and Port Arthur. It strikes me as not being a full measure of security when you do not provide some supervision of a like character in the transfer elevators on this side of the Lakes and from there to the sea-board. It does not appeal to one's common sense that, when you are watching one link in the long chain of transportation, and sitting over that link with a shot-gun, you are leaving every place between there and the seaboard to do as they think fit. I would ask the leader of the government to kindly give that point consideration and see how he can square the necessity of watching so closely at Fort William with leaving the rest of the route without inspection, trusting that all dishonesty ceases the moment the grain leaves Port Arthur.

Hon. Mr. LOUGHEED—In clauses 121 and 229 there is machinery to meet the exigency of which the hon. gentleman speaks.

Hon. Mr. CAMPBELL—All the trouble is at Fort William and Port Arthur.

Hon. Mr. LOUGHEED—We can declare a public elevator a terminal elevator and apply the whole machinery of this Act to the eastern division. Any public elevator means a terminal elevator.

Hon. Mr. YOUNG—If you are going to apply it that way I shall be happy.

Hon. Mr. LOUGHEED—All those clauses apply to enforcing proper inspection.

Hon. Mr. YOUNG—Are you going to do so?

Hon. Mr. LOUGHEED—I think the board may regard it as advisable to do so if they find abuses of this kind.

Hon. Mr. YOUNG—I am not charging the gentlemen who are responsible for this Bill with that particular omission. Their predecessors were guilty of the very same policy.

Hon. Mr. DAVIS—It is the same clause exactly as in Bill (No. 2) of last session.

Hon. Mr. YOUNG—It is not a crime which can be laid to my hon. friends opposite except that they are continuing it, but in all seriousness, if there is necessity to safeguard the producers at Fort William and Port Arthur, the same necessity must exist, the same precaution should be taken, and the same vigilance should be exercised with reference to the grain during its passage through to the vessel's side.

Hon. Mr. LOUGHEED—I am told that the Department of Trade and Commerce has already taken that into consideration and the present intention is, so far as they can give consideration to it, that inspectors shall be appointed at all these eastern points to see that the law is observed.

On clause 133,

Delivery of grain on return of receipt to vessel and delivery of grain to cars on return of receipt.

Hon. Mr. LOUGHEED—My hon. friend from York (Hon. Mr. Campbell) made some suggestions and we have in part agreed to make some changes.

Hon. Mr. CAMPBELL—They have agreed to amend clause 2 of section 133, by stricking out the word 'may,' and inserting 'shall' and striking out 'owner of such receipt or' and striking out the word 'may.'

Hon. Mr. BEIQUE—That leaves the farmer out.

Hon. Mr. CAMPBELL—The farmer is not interested in this, the grain is in the elevator. I hold that grain, and I order it down; I deliver my receipt to the elevator man. As the clause reads, the owner of such receipt, or the terminal elevator man, may make demand. The owner may be in New York or Montreal. Now, it is obligatory upon the terms of the warehouse man to make the necessary demand for the cars, and if that demand is not complied with in twenty-four hours, the warehouse man shall apply to the board, and so on. It is made obligatory upon the warehouse man to make application for the cars; otherwise he would not do it because he would be getting storage on the grain.

Hon. Mr. DAVIS—What is the penalty if he does not do it?

Hon. Mr. CAMPBELL—The penalty is very severe. I would rather that the penalty was the stoppage of the storage altogether, but we will take a half loaf because it is better than no bread. If the conditions warrant a change in the Act, I hope the government will make the change next year. In the meantime this will relieve the situation considerably, and for the sake of peace and harmony in the family I am willing to let it go.

The amendment was agreed to.

Hon. Mr. LOUGHEED—I shall convey to the Minister of Trade and Commerce the remarks made by the hon. gentleman from Saskatchewan (Hon. Mr. Davis) and on the third reading my hon. friend can move his amendments.

Hon. Mr. COFFEY, from the committee, reported the Bill with amendments which were concurred in.

THIRD READING.

Bill (170) an Act to amend the Quebec savings banks Act (Hon. Mr. Lougheed).

MILITIA ACT AMENDMENT BILL.

SECOND READING.

Hon Mr. LOUGHEED moved the second reading of Bill (177) an Act to amend the Militia Act.

The motion was agreed to.

The House resolved itself into Committee of the Whole on the Bill.

In the Committee.

Hon. Mr. DOMVILE—I would like to call the attention of the government to the effect of this Bill, the question of rank appears to be confined to men who may be on the staff and who are very well paid for it. I do not say it is being improperly done. Who are going to fight the battles of this country? There are 150 regiments and the colonel and his officers and men make the regiment. If there is any war, which I hope there will not be, who is going to do the work? The regimental officers, those who are not recognized in this Bill. I suppose I am largely responsible for making generals of Canadian officers. I brought in a Bill in the House of Commons, which was afterwards taken out of my hands, to create generals. The view I had was that we had in Canada good officers who, after taking a preliminary course, were just as good men to be commanders of the militia of this country as imported officers and that they should not be barred because

they were Canadians. From what I have seen of our militia I can say that we have men of considerable ability and who make very good soldiers. Therefore I brought in the Bill withdrawing 'the bar sinster' against a Canadian to command the Canadian army. This Bill, which is no doubt well meant, is for the purpose of making a lot of generals, that was not my intention. The men who are mentioned in this Bill are really only clerks and departmental officers. Are they to be taken into consideration and not men who have served a lifetime in the Canadian militia, who have organized regiments and have commanded them, and spent their time and their money as such commanding officers in keeping the regiment up to the proper standing. I am proud of the militia of Canada. I think this Bill should be so amended that the government might, in its discretion recognize officers who have commanded regiments and who have always stood ready to fight for their country. Why should these men be debarred from the higher ranks? I do not propose to make any factious opposition. I am only calling the attention of the government to this omission that has been made in this Bill. If we are going to have a large army why should the officers be debarred from rank on account of men who hold staff rank, and who have never done anything or never do anything? General Stonewall Jackson said 'War is Hell', and so it is; if we have any trouble in this country how long would the staff last? The officers commanding regiments have to go to the front with their men. Regiment after regiment would be called out, and would have to shoulder their muskets, the cavalry have to buckle on their sabres, and do their duty in the field and at the front to defend this country, and I say, hon. gentlemen, those who do the fighting should be recognized. Therefore, I suggest that there should be some little alteration in this Bill. The men who have done service should not be placed in an inferior rank to clerks in the war office.

Hon. Sir MACKENZIE BOWELL—This is to prevent appointments to certain positions in time of peace; it does not deprive any one of any rights posessed at the present time. I am fully in accord with certain remarks of the hon. member from Rothesay (Hon. Mr. Domville). The honorary rank of lieutenant colonel and other positions have been given during a number of years past to men who never rendered any service, for the reason that they occupied certain positions, and that they are able to assist in the maintenance of the different battalions to which they are attached. I question the propriety of such promotions. I do not think either myself or the Speaker have cause to complain, for, without solicitation on our part, or on the part of any of our friends, speaking for myself, we were given high and honourable positions in the force. I attribute this to the fact that my hon. friend and myself served long enough to obtain a long service medal, but I agree with the hon. gentleman from Rothesay, when he utters these sentiments that gentlemen who have never given a single day to the country in the way of volunteering should not be foisted to the honorary position of lieutenant-colonels. It is not confined to one party, but has been done by both. In the defence of the country we should know no politics.

Hon. Mr. DOMVILLE—I would suggest that the hon. leader might hold this measure over till to-morrow, to see if something could not be done. A lot of officials are going to pass out with the rank of general who never struck a bull's eye. There are colonels in this country who spend a good deal of time and money, and who have been successful in their work, and the government might amend this Bill so as to recognize their services. That it would be an incentive to the militia in the future and show them that they are not regarded as hewers of wood and drawers of water for the staff up here.

Hon. Mr. POWER—What is the change? Clause 42 in the Bill says:

42. In time of peace no officer shall be appointed to a higher permanent rank in the militia than that of major-general or surgeon-general, and the number of such appointments and the qualifications for such rank shall be as prescribed.

What was the old clause 42?

Hon. Mr. DANIEL—Clause 42 in the Revised Statutes, says:

42. In time of peace no officer of the militia shall, except for the purpose of assuming the command of the militia, be appointed to a higher permanent rank than that of colonel, provided that the territory rank of brigadier general may be conferred upon an officer of the rank of lieutenant-colonel or colonel, while holding any command or appointment, for which such rank is authorized by regulation.

The old law placed a higher command only on some officer of the rank of colonel on assuming the command of a whole regiment.

Hon. Mr. POWER—There was to be a brigadier general.

Hon. Mr. DANIEL—Yes. In the Bill before us the suggestion is that a permanent rank in the militia shall be conferred equal to that of major-general or surgeon-general in time of peace, and not confining it at all to officers in command, making it more general all over.

Hon. Mr. POWER—This Bill deserves a certain amount of attention. As the hon. and gallant gentleman from Rothesay says, we do not intend to offer any factious opposition, but it does seem to me that we shall have a very handsome supply of generals for a very small militia force when this Bill gets really to work. When the militia is called out at the present time there is to be no one higher than a brigadier-general. Now we are to have a num- of major-generals, and if the militia is called out we may have a lieutenant-general.

Hon Mr. DOMVILLE—That is all right.

Hon. Mr. POWER—About our militia I think we have too much staff, too many frills, and too little rank and file. I assume that under this Bill, when it becomes law, we shall, in a few months, have as many major-generals as they have in the United States army altogether.

Hon. Mr. DOMVILLE—Will my hon. friend consider this: Add after 'Staff Officers', 'or officers commanding corps, who have retired.' It is at the discretion of the government. That is to say, you are giving a chance to colonels who have done distinguished service; you are not bound to give it, but you are not debarring them from such promotion as the government, in their wisdom, think they are entitled to. How would such an amendment as that do at the end of clause 44?

Hon. Mr. LOUGHEED—I would suggest that we put the Bill through the committee stage to-night and I will consult the Minister of Militia about it to-morrow.

Hon. Mr. DANDURAND—I hope nobody who participates in the passing of this Bill will be entitled to any such promotion?

Hon. Mr. DOMVILLE—My hon. friend need not be afraid that he will receive such honours.

Hon. Mr. LOUGHEED—I hope I shall see the day when I will be in a position to congratulate my hon. friend on being a major-general.

Hon. Mr. DOMVILLE—I would appreciate such a high honour.

Hon. Sir MACKENZIE BOWELL—I think I have discovered a solution of the reason for the amendment. On reading section 44 of the Militia Act I find that it says the honourary rank of major-general may, for valuable services rendered to the country, be conferred upon colonels who have held a high staff appointment on their retirement. This prevents the conferring of rank upon any officer of the position of major-general until he retires as a colonel. The present amendment gives power and authority to the department, during a time of peace, to appoint any member of the militia a major-general or surgeon-general, and the number of such appointments, and the qualification for such rank shall be prescribed by the department. The necessity for this amendment arises from the fact that the rank of major-general has been conferred upon General Otter, but there is no authority in the Militia Act for giving him that rank until this Bill becomes law. Under the proposed amendment it can be done. I know of no officer in the service of the government, for a number of years past, better entitled for promotion than the officer to whom I have called attention, so I think we can pass the Bill.

Hon. Mr. DOMVILLE—That is all right, but if we are going to offer something to incite the militia to stand up for their country, we should see that nobody is barred.

The clause was adopted.

On clause 44, subclause 2,

2. Paragraph (c) of section 64 of the said Act is repealed and the following is substituted therefor:—

(c) authorize cadet corps, or any portion thereof, or any members thereof, to drill or train for a period of not more than thirty days in each year.

Hon. Mr. POWER—I do not object to that, but I really had hoped there would have been some more effective steps taken towards putting this country in a position to defend herself than is being done by this measure. Why do we not follow the example of Australia as regards the cadet corps? In Australia, service in the cadet corps is compulsory. The law has been in operation now for two years, so that after another year or so, Australia will have a large and comparatively well drilled defensive force. In Canada, although we do not seem to think so, we need a respectable defence force nearly as much as they do in Australia. I am disappointed; I know the present Minister of Militia is rather an enthusiast in trying to build up a defence force here, and I thought we should have had something better than this. It is a step in the right direction, but a short step. I really think service in the cadet corps should be compulsory. I do not understand how any one who calls himself a good Canadian should object to his sons being prepared, at any rate, for taking their part in defending the country if that should be necessary.

The clause was adopted.

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

CRIMINAL CODE AMENDMENT BILL.

SECOND AND THIRD READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (165) An Act to amend the Criminal Code.

The motion was agreed to.

The House resolved itself into Committee of the Whole on the Bill.

(In the Committee).

Hon. Mr. LOUGHEED—This is an Act to amend the Criminal Code so as to prevent betting where racing corporations are formed under Letters Patent, and necessitating a special Act of parliament to obtain that privilege at race meetings.

Hon. Mr. DANDURAND—Is it to prevent incorporation of such companies?

Hon. Mr. LOUGHEED—It is to prevent such companies from carrying on betting. Practically it will prohibit the incorporation of such companies, because they will not have the privilege of betting.

Hon. Mr. BOSTOCK—That only applies to the future.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. DANDURAND—What part of this clause is new?

Hon. Mr. LOUGHEED — The entire clause is new.

Hon. Sir MACKENZIE BOWELL — I think it is a misfortune that this Bill was not introduced before the present time. I think it would better serve the purpose if it were made retroactive. It is intended to prevent the racing that goes on in different parts of the Dominion at all periods of the year, where gambling is carried on of an objectionable character. I would like to see a proviso in the Bill making it come into force on the 1st of January of this year, so as to cut out certain Letters Patent which have been given to certain parties to organize racing companies throughout the whole Dominion. If the Bill is to accomplish the object the government has to prevent betting and gambling and all sorts of crimes that are being constantly committed on these unregulated race courses, it should be made retroactive. Certain Letters Patent have been granted since the 1st of January, incorporating companies for the purpose of carrying on racing. If this Bill does not affect these com-

panies, betting will be continued. The Bill has been introduced for a good purpose, but I think it should have been made retroactive.

Hon. Mr. WATSON—I quite agree with the remarks of my hon. friend. It seems to me that this Bill is very peculiar in a certain way. It says that betting shall not be allowed by any association who get incorporation by Letters Patent, but if they get incorporated by Act of parliament, then parliament will direct the conditions. Any organization that received Letters Patent before the 20th day of March are allowed to carry on racing. This is only the 27th, and these companies cannot have gone into business. Does this Bill mean to say that associations who are incorporated before the 20th of March have the vested rights to do something wrong? If so, that seems to me to be peculiar legislation. I would be inclined to think that the gentleman who rushed in and secured Letters Patent previous to the 20th of March, had some intimation of the legislation. And I agree with the hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell) that this provision ought to be retroactive and to go back to at least the 1st of January, because it looks suspicious on the face of it. I understand some six companies have taken out Letters Patent within the last few weeks in anticipation that the legislation was about to be enacted.

Hon. Mr. LOUGHEED—No.

Hon. Sir MACKENZIE BOWELL—Not so late as that.

Hon. Mr. LOUGHEED—Letters Patent were granted to two companies. The first application was presented on the 24th September, 1909, and on the 2nd and 3rd of June, 1910. Owing to the former Secretary of State, Mr. Murphy, having granted Letters Patent some three years ago or thereabouts he was subjected to a very severe criticism in the public press, the position having been taken that it was a discretionary matter with the Secretary of State as to issuing Letters Patent, and consequently, notwithstanding the opinion of the Department of Justice that the applicants were absolutely entitled to the issuance of the Letters, and that it was not discretionary with the minister to withhold them or grant them, yet those applications were held, and the matter of late has become somewhat acute. The opinion has been further given that the applicants were absolutely entitled to their Letters Patent, because there was no law to the contrary. Therefore, the government, in deliberating on the question, did issue those Letters Patent. They have been tied up, one since 1909 and the other since 1910, but realizing or recognizing that the issuance of Letters Patent for this purpose, without any discretion being exercised by the minister in granting such Letters, would be productive of very great mischief, morally and otherwise, it was deemed advisable to amend the Criminal Code as it affects parties securing Letters Patent for the purpose of carrying on racing associations and having the privilege and all the advantages of carrying on betting and reaping all the profits to be derived therefrom; so that hereafter it was thought advisable to prevent a repetition of this and this Bill has been brought down.

Hon. Mr. BOSTOCK—Is it not possible for those people to obtain incorporation in the province?

Hon. Mr. LOUGHEED—Yes, the provinces have a limited jurisdiction, but inasmuch as they had duly complied with our Letters Patent Act, and as the jurisprudence of our own courts and English courts would indicate they were absolutely entitled to the Letters they applied for, subject of course to their having complied with the Act, which they did, it was felt, and is felt to-day, that nothing else could be done but to grant them their Letters Patent, which was done. They applied to the Dominion and not to the province.

Hon. Mr. BOSTOCK—If this Act goes into force they cannot apply to the Secretary of State, but can they not apply to the provinces for Letters Patent?

Hon. Mr. LOUGHEED—Yes, but they would be subject to the Criminal Code.

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

The Bill was then read a third time, and passed.

SECOND AND THIRD READING.

Bill (150) An Act respecting the Harbour Commissioners of Montreal.—Hon. Mr. Lougheed.

SECOND READING.

Bill (138) An Act to incorporate the Winnipeg and St. Boniface Harbour Commission.—Hon. Mr. Lougheed.

JUDGES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED—Moved the second reading of Bill (156) 'An Act to amend the Judges Act.'

Hon. Mr. KERR—Was any report made to the government as to the necessity of additional judges?

Hon. Mr. LOUGHEED—Yes, the Ontario government has made application, as is not only usual, but necessary. I need not point out to my hon. friend that this government would not act, unless set in motion by the government of the province for which the judges would be appointed. This government is not anxious that these judges be appointed, and that their good money should be unnecessarily paid out.

Hon. Mr. KERR—Would the hon. gentleman let us know exactly what that representation was. Will the papers be brought down? To my mind it is almost incredible that there should be any necessity for further judicial strife there.

Hon. Mr. LOUGHEED—I cannot personally give my hon. friend the information. I should be very glad to direct the attention of the Minister of Justice to the fact of my hon. friend's inquiry, but as my hon. friend can readily appreciate, it is not difficult to have representations made to the central government to have provincial judges appointed.

Hon. Mr. KERR—A mere request would not be sufficient. I suppose it would be reasonable to expect we would have such representation as to the present conditions and the necessity for having more judges than we have at the present to dispose of the business. I appreciate the importance of having the judicial work of the country carried on with promptitude, but have such representations been made?

Hon. Mr. LOUGHEED—The central government has no machinery for making investigation into that matter. It is a provincial matter, and if the request comes from the Attorney General of a province to demand that additional judges be appointed, and the province had passed the necessary legislation looking to the appointment of the judges, I fail to see how the federal government can cast any suspicion on the bona fides of the Attorney General of the province. The federal government has to accept the communication and act accordingly. It would be exceeding the bounds of propriety and that etiquette which must necessarily be observed between the provinces and the Dominion government that the communication of the properly accredited minister of the provincial government if it were not accepted without any doubt being thrown upon it.

Hon. Mr. KERR—I am under the impression that a different rule has prevailed, and that where the question came up in that way the government here went so far as to question the condition of things which would justify the amendment of the law so as to provide for additional judges, and even where the governments were supposed or understood to be friendly, there has been hesitation until a case was made out, and that has occupied some little time, before the government were satisfied on the point. That is so, particularly with reference to the institution of a court. It is only within a very short time that a new court of three judges has been established, namely the Exchequer Court Division of the High Court. I do not know whether any representation has been made from the judges as to the urgency of the matter, or as to the adequacy of the present government for the discharge of their duties. Some of the judges are acting commissioners and away from their judicial duty

on what, no doubt, is important public business, but which is not judicial work, not only in the way of inquiries but in consolidation of the statutes and various other ways. If others besides judges could be employed to perform such duties, it would save a good deal of expense. I venture to think the question I am raising calls for something more than the statement that there has been a request from the local government.

Hon. Mr. ELLIS—I have heard the question discussed in the House of Commons on more than one occasion, and I think it was pretty well conceded that the government must respond to the demand of a local government making such a request. It could not fairly be assumed from that that if the local government made an application for a very large number of judges, that the request must be allowed, but there is no doubt whatever that there is no protection of the public treasury against the demands that the local governments see fit to make upon them. It ought to be fixed in some way, so that they should not have to act simply on the demands of the local government.

Hon. Mr. DANDURAND—The Minister of Justice who preceded the present holder of the office, was of opinion that, before a law was passed by a province increasing the number of judges, the federal authorities should be approached and the matter discussed between them. I suppose that there is nothing which will force the federal government to automatically put the Act in operation and bring down a vote for the salaries of a certain number of judges, but there should be some co-operation and understanding between the federal and provincial power. I heard my hon. friend the leader of the government, a moment ago declare that the Minister of Justice was bound to assent to the demand of any province for an increase of the number of judges. I do not know if that is the policy of the present government, and possibly if my hon. friend will consult the Minister of Justice he will qualify this declaration, because we have on the statute-book in Quebec, provision made for an increase of three judges in the Circuit Court of Montreal. There has been a pressing demand by the Quebec government for the appointment of those judges from year to year, and the late government, as well as the present government, has been made aware, not only of the desire of the government, but of the need of Montreal through the representatives of the bar and the public bodies of Montreal, such as the Chamber of Commerce and the Board of Trade. The present Minister of Justice is well acquainted with the necessity of doing something to relieve the situation in Montreal. There were last year some three or four thousand cases—perhaps double that number—waiting on the list to be heard, and the situation has not improved since then. There is a general clamour for more speedy administration of justice before that tribunal. While I am discussing the question of the Circuit Court of Montreal, I might say that strong representations have been made that at the same time when those new judges are appointed the salary of the judges of that court be increased. Their present emolument is $3,000 or $3,500. It is true that the amounts involved in the cases generally are not as large as those in the cases tried before the Superior Court, which is called the High Court in other provinces, but the principles at stake are the same, it is the same law that has to be applied, and many classes of cases are committed exclusively to the care of that court. Judges, having to live in a centre like Montreal or Toronto on a meagre pittance, cannot maintain their proper station nor the dignity which should surround the occupants of judicial tribunals. I repeat what I said last session, that the salaries of those judges should be increased to at least $5,000. The work they perform used to be done by the Superior Court judges.

Hon. Mr. LOUGHEED—The difficulty has been recognized in Quebec, with the class of judges to which my hon. friend has referred, that the work is distributed unequally. The work in the cities is largely congested and the work in the rural districts very light. I think the late government had difficulty, and the present government will have to grapple with the same difficulty and direct the attention of the provincial government of Quebec to

the necessity of adjusting these matters in order that an equilibrium can be established, and so that the same number of judges can perform more evenly distributed work and meet the exigencies of the requirements in that province. I think there is a general recognition that men discharging judicial duties in the city of Montreal, of the class to which my hon. friend has referred, should receive more substantial compensation than those discharging a much inferior class of work in the outside districts. Before this Bill reaches its final stage I should be glad to take the matter up with the Minister of Justice.

Hon. Mr. DANDURAND—That statement is not so true to-day as it was ten years ago when some courts of Quebec had not so much work to do. I might mention the district of Three Rivers and the district of St. Francis. Ten years ago one judge sufficed for Three Rivers, and one for Sherbrooke. Since then many industries have developed in these districts and a second judge has been appointed for each of these places. There are still districts where the work is somewhat light. The whole system would break down in Montreal if a certain number of judges were not called in monthly from the rural districts to help the judges of the city with the work they have before them.

The second reading was agreed to.

LIVE STOCK RECORD ASSOCIATIONS BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (167) An Act respecting the incorporation of Live Stock Record Associations. He said: This Bill simply provides machinery for the incorporation of live stock record associations. It is comparatively central in its machinery.

The House resolved itself into Committee of the Whole on the Bill

(In the Committee.)

Hon. Mr. DANDURAND—By clause 9, not more than one association for each distinct breed shall be incorporated under this Act. Reading clause 4 with clause 9, it would appear that once a certain number of people have approached the minister for incorporation for registering a certain breed, that covers the whole ground and no other company can be organized.

Hon. Mr. LOUGHEED—That would be the only way in which the records could be carried on. I would assume that the records are all kept in Ottawa.

Hon. Mr. KERR—Clause (j) of section 10 covers that,—'they shall be kept at the head office.'

Hon. Mr. BEIQUE—It seems to me that it is a much better practice to have one department and that all the records shall be concentrated at Ottawa.

Hon. Mr. BOSTOCK—This whole matter was gone into some few years ago by the then Minister of Agriculture and he arranged that the various associations should keep their records at Ottawa.

Hon. Mr. DERBYSHIRE—In order that the Acts shall be any good these associations must be Dominion associations, and the records must be kept in Ottawa. The idea of this Bill is to have the records kept in Ottawa for the whole Dominion, and that there shall be only one association for each particular breed, whether it be Jerseys, Holsteins or Ayrshires, or any particular breed of live stock.

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

CIVIL SERVICE ACT AMENDMENT BILL —RURAL MAIL DELIVERY.

SECOND AND THIRD READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (179) An Act to amend the Civil Service Act.' He said: This is a Bill for the purpose of establishing rural mail delivery. Each clause of the Bill deals with nothing else except the employment of officers for carrying on a particular branch of the Post Office Department, the mail service.

Hon. Mr. BOSTOCK—Is this rural mail delivery to be extended to the whole of Canada?

Hon. Mr. LOUGHEED—That will be a matter entirely in the discretion of the Postmaster General, after making inquiry as to the various districts in which it may be desirable to extend.

The motion was agreed to, and the Bill passed through its final stages.

BILLS INTRODUCED.

Bill 180) An Act to amend the Dry Docks subsidy Act.—Hon. Mr. Lougheed.

Bill (181) An Act to amend the Yukon Glacier Mining Act.—Hon. Mr. Lougheed.

Bill (182) An Act respecting the Government House property, Toronto.—Hon. Mr. Lougheed.

Bill (185) An Act to authorize the sale to the province of Manitoba of certain ordnance lands in the city of Winnipeg.—Hon. Mr. Lougheed.

The Senate adjourned until to-morrow at 11 a.m.

THE SENATE.

THURSDAY, March 28, 1912.

The SPEAKER took the Chair at Eleven o'clock, a.m.

Prayers and Routine Proceedings.

EMPLOYMENT OF CHARWOMEN.

The SPEAKER—I beg to lay on the table of the House a memo. with reference to the employment of charwomen.

Hon. Mr. LOUGHEED—I move that the recommendation of his honour the Speaker be adopted. I hope it will not be considered sufficiently important to send to the Committee of Internal Economy and Contingent Accounts.

Hon. Mr. THOMPSON—I think it is sufficiently important; it is one of the issues the Senate should determine now.

Hon. Mr. BELCOURT—If there is to be a discussion similar to the debate we had yesterday on the report of the Committee of Internal Economy and Contingent Accounts, we should have the discussion with closed doors.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. POWER—I wish to say that the last report contains a recommendation for the appointment of some person, and there is no object in making it now.

Hon. Mr. LOUGHEED—That being the case there cannot be any conflict.

Hon. Mr. DANDURANR—The matter can be considered at three o'clock with closed doors.

Hon. Mr. LOUGHEED—Yes.

THE CANADA GRAIN BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (No. 32) An Act respecting Grain.

Hon. Mr. DAVIS—I move in amendment that the said Bill be not now read a third time, but that it be amended by striking out the 2nd and 3rd sub-clauses of clause 57. This is the question we discussed the other day in regard to the sample market. The people who are supposed to be interested in this question, the grain growers of the west, do not see any advantage in a sample market for any person except the grain combine. In the first place let me say that the English miller, our greatest customer, who is supposed to be considered in the matter, does not wish to buy on sample. I will prove that by the evidence taken before the commission in Saskatchewan, by one of the leading grain buyers of England. In June, 1910, the commission was sitting at Regina, and Mr. James Begg, representing John Jackson & Co., grain and qour importers, of Glasgow, gave evidence before the commission. The chairman asked him a question and he proceeds to say:

> The Dominion certificate of inspection stands very high with us. It has the utmost confidence both of importers and millers. I mean in wheat, barley, oats and flax. We trade constantly on it and buy without any other guarantee of quality and sell to the millers without any other guarantee of quality than represented by the certificate of inspection which must be given to us by the seller on this side and must be ready to be produced to the buyer if he wishes it.
>
> Q. Would you not rather buy your standard grades on sample?

A. No. So long as the inspection is honest and reliable it is the easiest, simplest and most economical way of working the business. It enables us any day and in any month and every shipment in any period, to buy an article which we know will be equal to what we had before. When I say 'we' I mean both myself and the grain importer and the miller who is my customer. I give no personal guarantee, I sell on the certificate of Canadian inspection, and if for any reason there was any difficulty, I would have no responsibility under law of any other way, to my buyer. I would have no legal obligation. I sell to him so much No. 1 wheat, inspection certificate final. The document covers the thing from the time of embarkation till it goes into the hopper for flour. We know that when we have made a transaction by buying from a man on your side and sell to a man on our side what it is practically as regards quality. The miller knows that he can depend upon getting something that is of a certain milling value and the brewer in buying barley and the man who buys oats and flax.

Q. It does not vary with the crop?

A. Our experience has been that it does not. I have known millers who have kept over part of 1906 crop and then they have got the crop of 1907 and tested it through the mill. They found the difference was so slight, as to be a negligible quantity. Everybody knows there is a certain dryness in a crop of wheat twelve months old, but they are essentially the same, and are so nearly alike that they can assure themselves that the samples of flour are alike. Trading on the certificate I can buy in June for July, August, September and October delivery, and I know it will come to port when I wish it. No miller wishes enough wheat in his mill to-day to grind in October, but he wants the identical flour in October that is delivered to-day. It would cost him a great deal of money to have the whole wheat over, and therefore he buys as I have suggested for July, August, September and October as he wants. If you began the sample business, first of all the elevator man in the West has to get his wheat in and he sends me a sample. He will send me a sample saying please cable me the best you can do. I want 90 cents a bushel for it. It goes forward and is not like anything we have had before. We have not to go to one miller and instead of saying I am going to sell No. 1 wheat, I have got to say, I have got a sample here. That miller has a difference of opinion. I cable eventually to the commission man this side and he says the wheat has gone. Supposing it goes through, a man will say yes, I will take it if you give me June shipment, and another man July shipment. The wheat has therefore got to be held in the elevator, and the elevator man says, I cannot keep it till then and must ask more.

Now that goes to show that, as far as the English miller is concerned, he is in favour of buying on inspection; and it rests with us to keep the standard up to the market, because he says that the people of England have every confidence in our certificates. They trade on them; all he has to do is to say 'I sell you a million bushels of No. 1 wheat, and here is a certificate,' and that goes. But if we allow our wheat to be mixed and go fooling with it, we will lose something that it has taken years and years to build up. To the Ontario miller this is no good, because he cannot buy that wheat; he has no binning privileges, he has no bins, he is not going to trust his wheat into the hands of those men that we know have been manipulating wheat in the terminal elevators year after year. You would not expect a man to go and buy wheat in the sample market when he does not know how those men turn the cranks to mix it. The farmers are supposed to be directly interested in the wheat, but they say it is no use to them because the only men that could take advantage of the sample market are those that control the terminal elevators, and they are not going on to the Winnipeg, Calgary or Port Arthur sample market to buy grain and compete with themselves. They have elevators all over the interior, and they can get what wheat they want. So that it is practically of no value to anybody. It would be of value if there were binning privileges, if the government were to take over the terminal elevators so that everybody could go on the sample market and buy his grain and get some place to store it until they could dispose of it, but under present conditions I submit it is of no use to farmers to the eastern millers, or to the English buyer who is our customer; therefore, the only persons it will benefit will be the elevator combine. We are not so much opposed to the sample market as to the mixing of grain. Under this Act it is proposed to allow those gentlemen who control the elevators to do something that we made a crime a year ago and for which we penalized and fined them; now, we are going to open the door and allow them to carry on the same performance that was carried on in the United States. The first part of the section relates to sample markets, which I am not interfering with, but the two subsections are dealing with mixing, and I move that they be struck out.

Hon. Mr. LOUGHEED—The clauses now objected to were inserted in the Bill at the

instance of the farmers themselves. No later than the present session they were recommended at a meeting held by the grain growers in the city of Regina, and a resolution was solemnly adopted urging the government to legislate in this way. This was not done without deliberation. They have been demanding the same thing for years. In 1910 the provincial government of Saskatchewan, at the instance of the grain growers, appointed an elevator commission to make inquiry with a view to carrying out the recommendations of the grain growers of that western country, and they took up the various subjects which has been strongly demanded in the way of legislation from the central government by the grain growers. Here are the charges against the present system; one of them is that the defects of the grading system—the same grading system we have had for years and that we have to-day—and the absence of a sample market to enable men to buy grain which, though slightly bleached, smutted or frosted, is of superior quality, but is bought at a price far below its value. That is to say, this particular grain is bought from the farmers by the grain dealers at a price below its value; and to overcome this difficulty there must necessarily be a sample market. Now, on page 22 of the same report we find, in dealing with the alleged system of monopoly of the grain buyers, this statement is made:

> Selling by grade alone is one main condition of their buying the grain below its value.

That has always been the complaint of the grain producers until within the last few weeks. Then we come to page 25 of the same report in which the idea is still further developed. The Commission states:

> What the farmers of the West demand is to have a sample market which would remedy the defects of the grading system and give to the farmer the actual value of his grain, whether it is especially good, poor, bleached, smutted, or frosted, as distinguished from the general grade price.

As hon. gentlemen see, that can only be accomplished by this mixing process, for which those particular sections objected to are designated.

Hon. Mr. FORGET—May I ask the year of the report?

Hon. Mr. LOUGHEED—1910.

Hon. Mr. TALBOT—Was not that at the time when the farmers were agitating for the government ownership of the terminal elevators, where the mixing would take place?

Hon. Mr. LOUGHEED—That may be. It was said the other day that this demand was based solely upon the supposition that the government would enter upon and expropriate or absolutely own the terminal elevators, and the House apparently accepted the statement of my hon. friend from Prince Albert (Hon. Mr. Davis) that this agitation of the farmers for the sample market was based entirely on that supposition, and that expectation. Now let us deal with that. Here is a further demand:

> There is a general demand among the farmers for a sample market. It arises from the belief upon their part that the general grade price does not do justice to particular lots of grain, either lots especially good, or lots that are low or off-grade. It is argued by some, in reply to this, that if the seller of a very good lot of No. 1 Northern gets over the average grade price, the sellers of a poorer lot of the same grade gets the same price.

Now, coming to that question as to whether all this agitation is based upon the expectation of the government assuming control of the elevators, what do the farmers say? On page 29 of the same report we read:

> To begin with, the assertion sometimes made to the effect that a sample market cannot be established in Winnipeg without public ownership, is simply not true

And in this report the words 'Is simply not true' are in italics, so as to emphasize and controvert the statement that the sample market must be contingent on public ownership.

Hon. Mr. DAVIS—Is there anything in that about mixing?

Hon. Mr. LOUGHEED—Why, certainly, it is the only way a sample market can be conducted.

Hon. Mr. DAVIS—Oh no, not at all; a big difference.

Hon. Mr. LOUGHEED—My hon. friend has always been talking about the superior market or the superior prices in the United States. What does this commission say? That one reason why American farmers get a better price for grain than Canadians is that mixing is allowed in the United States and not allowed in Canada, and that the success of the private terminals in the United States, as compared with public terminals where the latter makes no provision for the mixing, proves the advantage of mixing. Now, hon. gentlemen, this is what the late government was up against; this is what the present government is up against. These gentlemen make those representations deliberately; commissions are appointed by the provincial governments there to place the recommendations of the grain producers in the shape of memorials to be presented to this government; those gentlemen in conference or in convention deliberately pass resolutions, as late as the present session, asking that this sample market be established, and the government, in deference to their wishes, has prepared the present clause. But I went so far the other day as to amend the clause so as to provide that until the government is absolutely satisfied that conditions do exist for the operation of the sample market in that western country this clause will not come into effect. I think hon. gentlemen can rely upon the government making proper investigation after the appointment of a grain commission, and after that commission makes all due inquiry into the subject. and after conditions become sufficiently developed so as to warrant the establishment of a sample market, then and not until then, the government, by order in council, will put this section in force and will take the responsibility. As I pointed out the other day it will require considerable preparatory work before this section can be brought into operation, but the government must foreshadow, by legislation upon the statute-book, that the grain policy of the government will be, in time to establish a sample market, so that those building terminal and other elevators may make preparation, by proper binning, for a sample market. It involves considerable preparatory work, and the public must be prepared to enter upon this work. That can only be done by the government intimating, in the way they have done in this Bill, by legislation, that when the proper time arrives this sample market will be given to the farmers of the west, and I think I may safely say that upon that being done the farmers will be the first to recognize the advantages to themselves in a properly constituted sample market. We voted on the question the other day, and I ask the Senate to sustain that vote.

Hon. Mr. TALBOT—I am opposed to the mixing of grain by the grain buyers or elevator men in the west. Any person who would look at this question for a moment would see that the elevator men and the grain buyers are the only people who are going to be benefited by it. Supposing, for example, I am a grain buyer and I alone am allowed to mix the grain or to have facilities for doing it. You bring in your grain to me, will I not manipulate it? Would not any man do so? If I can make 3 or 4 cents per bushel, am I not going to do it. It is not dishonest if it is not against the law. The leader of the government mentioned that the representatives of the farmers, even during this session, have asked for this. I would like to say a word in explanation of how that was done and compare the treatment of the representatives of the farmers by the present Minister of Trade and Commerce with the treatment of the same gentlemen by the late Minister of Trade and Commerce. When the farmers came down on former occasions to discuss the matter and obtain legislation, the Minister of Trade and Commerce met them in a body. The matter was freely and openly discussed among them and suggestions made by one and then by another with the result that Bill Q, which was framed last year, a satisfactory measure to the people, of the country at large, was passed by this House. When the farmers, or the representatives of the farmers, came down again to look after their interests during this session of parliament, they met the Minister of Trade and Commerce. He took them individually into his office, discussed with them this Bill, and I believe

they did consent that this clause should go in, but I would like hon. gentlemen to bear in mind that the present Minister of Trade and Commerce is a very clever man; he has for a whole life time been skilled in making the worse appear the better reason, and it is not at all surprising that he was able to draw the wool over the eyes of those men when he had them in his private office.

Hon. Mr. LOUGHEED—What object would he have.

Hon. Mr. DAVIS—He would have his friends in the combine.

Hon. Mr. TALBOT—He would have the interests which elected the present government, and which no doubt he wishes to stand in with. For the past 15 or 20 years there has been a contest in the west between the farmers and certain interests. On the one side we have the farmers and on the other side we have the elevator people, the railway companies and the banking institutions. All of these are working in their own interests for the purpose of making money, and the farmer is the one they are making it out of. If this clause, allowing the mixing of grain, goes through, the farmers can expect to lose 3 or 4 cents a bushel on the grain they raise. I know these sentiments are right and I am expressing the opinion of nine-tenths of the farmers of western Canada.

Hon. Mr. CAMPBELL—This has been a very troublesome question as everybody knows. Last year we had a great deal of discussion over a similar Bill. There are three parties interested in the handling of the grain, the farmer, the elevator man and the miller, not only in Canada, but also in the old country. As I take it from the observations that have been made by the leader of the government the farmers are disposed to agree to the sample market. We have no objection to the sample market, but I may say that every miller in Ontario and in Quebec, and in Canada as a whole, is totally opposed to the principle of mixing. That was gone into very thoroughly last year, and the position was very clearly explained to the House. A grain buyer operating elevators along the lines of the Cariboo and Rossland, or any of the lines through the west, or even in Ontario, can buy that grain from the farmer and he can do anything he likes with it. He can throw it all into one bin or keep it separate or do just as he pleases. He can mix it in any way or in any manner he pleases and it is nobody's business; he has paid his money for it. But when he loads that into a car and sends it forward and asks the government of Canada to inspect that and put a stamp on it as No. 1 or No. 2 Northern, he has no right to tamper with it. Every one has an interest in that grain. I buy my grain according to the inspector's report as No. 1 Northern, or No. 2 Northern or whatever it is. I buy it on account of the fact that the government of Canada, through their officers, have inspected that grain and stamped it as No. 1 or No. 2 Northern and I think it is a most retrograde step to say that, after being stamped and inspected by the officers of the government, anybody can mix it. It is only done for a purpose.

Hon. Mr. WATSON—This legislation does not suggest the mixing after it is graded.

Hon. Mr. CAMPBELL—Yes it does. After it is mixed and inspected again, the only object of the mixing is to reduce the grade. There is a good No. 1 Northern and a poor No. 1 Northern. The object of getting the privilege of mixing is to enable them to skin the grade and sell it as No. 1 Northern.

Hon. Sir MACKENZIE BOWELL—Then the inspector commits the wrong.

Hon. Mr. CAMPBELL— No. A man may have a very good grade of No. 2 Northern, and a very poor grade of No. 1 Northern. They mix them together and make No. 1 Northern.

Hon. Sir MACKENZIE BOWELL—Is that mixing done after the inspection or before?

Hon. Mr. CAMPBELL—After the inspection.

Hon. Mr. WATSON—Oh no, no.

Hon. Sir MACKENZIE BOWELL—If so it is a crime.

Hon. Mr. DAVIS—It was not allowed to be done after inspection before but they were doing it right along when there was a penalty imposed on it, and now you are throwing the door open to let them do it without penalty.

Hon. Mr. CAMPBELL—It was well known and thoroughly discussed last year and it was the unanimous opinion of the committee that the mixing of grain should be totally prohibited. That was agreed upon by the whole committee. I do not think there was any objection to that. Now we open the door by law, and we are allowing them to mix grain. I think we are making a very great mistake, and I hope the House will not consent to it. I admit that the amendment proposed by the hon. leader of the House that this shall only take effect after a certain course, modifies its effect a little, but why not cut it out altogether. Everybody buys our grain in the old country as well as Canada, and it commands a high price. The grades are thoroughly established. A man in the old country buys a hundred thousand bushels of No. 1 or No. 2 Northern and he knows that he is getting what he ordered, but when you are mixing the grain and inspecting it afterwards, he knows that he is getting a grade and it may pass as No. 2 Northern. It is down to the last point. The only object is to enable the manipulators of that grain to so manipulate it as to make a cent or two more out of it. It is not in the interests of the farmer and it is not in the interests of the dealer, and I do not think the government should allow that amendment to go in. If you want to establish a sample market well and good, and if our experience in future shows that it is desirable we can afterwards adopt it, but at the present time in opening the door after a thorough discussion last year and an unanimous opinion of the House, and the country generally that mixing should not be allowed. I think we are making a great mistake when we permit it.

Rt. Hon. Sir RICHARD CARTWRIGHT—Of course this is a very dubious point and I speak of it subject to correction, after having had the privilege, or the duty, of listening for many days together to the arguments pro and con a year or so ago. I don't think the House ought to be tortured about altering the Bill which you passed last year after very full discussion, and after having the benefit of full discussions before the department in which I presided and where everybody had the fullest opportunity of being heard. The balance of evidence, as far as I could judge at that time, was decidedly adverse to the mixing of grain and my department was obliged, under the law, to punish parties and to bring action against parties for mixing grain in a fashion which will apparently be permitted if the Act goes through as it stands. As I understand, the sample market is not interfered with by this amendment of my hon. friend; it is merely the practice of mixing grain which is interfered with. I think my hon. friend would do well to let that matter stand under the circumstances until we have much fuller light upon it than we have now. He probably knows that everybody who has the slightest interest, whether railways or grain exchange men or produce men or millers or farmers, they were all heard at great length by the Department of Trade and Commerce before the Bill was introduced into the Senate and passed last year.

Hon. Mr. BEIQUE—I would like to be enlightened on two points. I heard the hon. member from Portage la Prairie (Mr. Watson) say that the mixing cannot take place after the wheat has been graded. He is supposed to know and I attach a good deal of importance to his opinion on matters of this kind, but I call his attention to the first paragraph of section 57 which says:

> Nothing in this Act shall prevent any person from selling or buying grain by sample, regardless of its grade.

That implies that the wheat has been graded.

Hon. Mr. WATSON—No.

Hon. Mr. BEIQUE—And therefore has been inspected; I think it is better that way.

Hon. Mr. WATSON—That has been on the statute-book for years.

Hon. Mr. BEIQUE—It may be, but we must take it as it stands; it implies that the section is dealing with graded wheat. The other points on which I would like to be enlightened is the meaning of the last sub-section 57 and I am now addressing myself to the hon. leader of this House. He says:

> The provisions of section 208, with the exception of sub-section 3 thereof, shall apply to sample markets when established.

I fail to understand what is the object to reference of section 208.

Hon. Mr. WATSON—That gives an opportunity of having the cars stop over at Winnipeg 24 hours to decide whether they shall sell on sample or not. In reply to the statement made by the hon gentleman from De Salaberry (Hon. Mr. Béique) with regard to 27, there is no complaint about 27, either from the grain dealer or farmer. That has been on the statute-book for years and no complaints. It works satisfactorily. Objection is taken to the fact that the sample market is about to be established under this Act. There is a great deal of room for argument as to the benefit of a sample market. People apparently change their opinions occasionally about sample markets. I have no doubt conditions of the crop have a good deal to do with changing the producers opinion as to sample market. Where the spread between low grades of wheat is 8 or 10 cents a bushel, it is a serious thing, and the farmers will want a sample market. The farmer will say 'I ought to get more for that, where the next grade is worth a great deal more.' He should have a sample market to get the full value. In the higher grade it does not make so much difference because there is only a spread of 2 or 3 cents a bushel, but in the lower grades it is more serious. There is no question but that there has been an agitation in the west among the grain growers in favour of a sample market. That is evident by the report just read to the House. It was discussed in the grain growers' meetings at Brandon and Regina and at all meetings of the Grain Growers' Association. This Bill came down to us and we have seen fit to amend it, by refraining from putting it into operation until the conditions are such that it will be profitable to the trade. That provision has been put in the Bill, and I am inclined to think we ought to pass it with the clause amended as we amended it two or three days ago. The hon. gentleman from Toronto (Hon. Mr. Campbell) was arguing from wrong premises, so far as graded wheat is concerned, there is no provision in this Act to permit that wheat, after being inspected and graded, to be mixed. Apparently his whole argument was based on the fact that we were going to provide that, after the wheat had been inspected and graded, it could be mixed under this Act.

Hon. Mr. CAMPBELL—Then why is this provision required at all?

Hon. Mr. WATSON—For the reasons I have explained that if there is a large spread between two grades of wheat, it is a serious matter to the farmer. You might get a grade of wheat which would just come above the line of No. 3 Northern. You might get another grade of No. 3 Northern almost up to No. 2 Northern, and it is practically a difference in value of 3 cents. The man who has a high grade of No. 3 Northern may be able to sell it for whatever it is worth, if we had a sample market and whoever bought it would be able to mix it with two cars of extra No. 2 Northern and thus make 3 cars of No. 2 Northern, and he would get more than if he had to sell it on a grade by itself. It must be remembered that the grain growers are in the grain business. There is the Grain Growers Grain Company, out west and those gentlemen recognize the benefit of mixing, of course, before it is graded. The Grain Growers Grain Company have a house in Winnipeg in which they are doing this very business.

Hon. Mr. CAMPBELL—Let them do it before it is inspected.

Hon. Mr. WATSON—It is done that way. If you establish a market and have it done by regulation it would be better.

Hon. Mr. TALBOT—But it is not done by regulation.

Hon. Mr. WATSON—No, but it is done by the Grain Growers Association who have the confidence of the people. They mix it and make money out of it. I think the dividends of the Grain Growers Company are probably higher than any dividends of any grain company in the west.

Hon. Mr. TALBOT—That is probably because they mix.

Hon. Mr. WATSON—Well, you say it is at the instance of the farmer? If so it must be a good business, because most of the farmers are stock-holders in the Grain Growers' Company. My hon. friend says they do not want it. Inside of the last ten days the hon. member from Prince Albert (Hon. Mr. Davis) canvassed me to let this Bill pass without any amendment, and because I cannot change my mind as quickly as he can, he says that everybody who opposes him is working against the interests of the farmers.

Hon. Mr. DAVIS—I want to draw attention to the fact that the hon. gentleman is making a statement that is not true. He spoke to me about this Grain Bill——

The SPEAKER—Order.

Hon. Mr. WATSON—The hon. gentleman did not canvas me, but he told me that he thought this House should pass the Bill without amendment.

Hon. Mr. DAVIS—I did not. I said I was not going to interfere with it.

Hon. Mr. WATSON—But he has, and that is the best possible evidence. Because I take a different view from him now he tries to make the House believe that I do not work in the interest of the farmers. I have been living in the Northwest thirty five years and been engaged in the farming and milling business and therefore I do not choose to yield my judgment to the judgment of any delegation. I know something of the business, and I am prepared to give my best attention to anything in the interests of the grain growers of this country and have done so ever since 1883, when I first occupied a seat in the House of Commons. Some of those gentlemen who are opposing this sample market are representatives of the millers in Ontario, and the western farmers have had to fight those people on the standards. It was the custom to make the standard every year to meet the crop of that year—in other words the samples were selected for the purpose of deciding what should be the standard of one year. I always opposed that ever since grain legislation was discussed. Ten or twelve years ago we decided that the samples should not be made to meet the crop each year, but that the crop should come up to the standard, and for the last ten or twelve years we have had standards of wheat that are a trade mark of value in the markets of the world. We have that trade mark because we adopted a standard of wheat that is practically equal value for milling purposes for each and every year.

Hon. Mr. CAMPBELL—Why not let it alone then?

Hon. Mr. WATSON—We are not interfering with it.

Hon. Mr. CAMPBELL—When you mix it you are.

Hon. Mr. WATSON—We are not mixing it. Formerly the Ontario millers used to come up to Manitoba and direct what the samples should be. We have got past that and for the last ten or twelve years have had standards that are known wherever Canadian wheat is sold. Every gentleman here who has spoken on this matter has stated that those standards are well known in the English market, and it matters not whether they have samples of the new wheat, the standard of the former season is sufficient to sell this year's crop on. I made inquiry last summer and in discussing the matter with one of the largest importers of wheat in Manchester he told me that for ten years he had never had a complaint of a Canadian cargo of wheat, that David Horn's certificate on a cargo of wheat was A1 at Lloyds', and that he had never had a complaint about wheat sold on a Canadian certificate. I inquired about the United States certificates? He said: 'We do not have any, because in the

United States they have mixing. We are going to retain the identity of our wheat, but can any one point out to me that it will be a mistake to have a sample market if the conditions are right for it? I have sometimes had doubts as to whether we should talk about the average bin. Any wheat that will just go in over the line, and below the line goes into one bin. There is a spread of three cents a bushel in that wheat. One wheat may be worth two and a half or three cents more than the other, but all goes into the same bin. I question very much whether the buyer purchases on more than the minimum grade. He knows he is going to have wheat of a certain grade, and some of it will be over that line, and some below it.

Hon. Mr. TALBOT—In other words the buyer will grade the wheat as low as possible.

Hon. Mr. WATSON—Yes.

Hon. Mr. TALBOT—That is why he should not be allowed to mix it.

Hon. Mr. WATSON—If the farmer is only getting the minimum price, it is the interest of the farmer to get as much over that as possible.

Hon. Mr. TALBOT—It is not his when it gets over the line.

Hon. Mr. WATSON—If you send a car of wheat to Winnipeg and it is almost No. 1 Northern and it is put on the sample market, if it is No. 2 Northern you get No. 2 Northern price, but if it is No. 2 on the sample market and almost gets into No. 1 Northern, you will get a premium of two cents on the wheat. My hon. friend would get it if he would take advantage of it.

Hon. Mr. TALBOT—I never could.

Hon. Mr. WATSON—The proposition before us now is that this Bill provides for a sample market, when certain conditions exist; it does not prevent people buying on sample. As a matter of fact most wheat is bought on samples. Every buyer who purchases on the street is buying on samples; he is his own judge as to what the wheat is worth. We are providing for a sample market at different points and conducted under regulation. Now, if the conditions were the same in Winnipeg as they are in Minneapolis a sample market would be a good thing for the west. much better than anything we have under present conditions, because the present conditions are such that a man who ships wheat to the Minneapolis market gets every cent of what that wheat is worth. The milling industries around Minneapolis have a capacity of some two hundred million bushels a year; I do not think they ever run more than 65 per cent of their capacity, and, consequently, there is keen competition for wheat to keep those mills running. The miller wants the hard wheat to mix with softer wheat, and instructs a commission merchant to get a certain grade of wheat for him, No. 1, or No. 2, or No. 3, Northern.

That wheat is bought and shipped direct to the miller; it does not go through the elevator at all, and the miller gets that type of wheat, and the producer gets everything that is in it, because there is keen competition for that particular type of wheat. Now that condition is ideal. We have not got that in Winnipeg, and we cannot have it, for the simple reason that we have not the market. We have only three or four milling companies there, and I do not know that they do very much to put up the price of wheat. I do not think the whole combination of millers are competing very hard against each other to increase the price of wheat; I think the price they pay is the average price. I am one of those who believe that in the very near future we will have those ideal conditions in Winnipeg. With the statute left just as it is, when the conditions are such that the people want the sample market, they will be able to have it by proclamation, because I believe that, notwithstanding the fact that the reciprocity pact failed last September, the people of the west must have the United States market for the wheat. I am also satisfied that the United States will take the duty off in order to get our wheat, and if they do, then we have those ideal conditions for the sample market in Winnipeg. I want to have the statute left in such shape that the people of the west can avail themselves of the sam-

ple markets when the conditions are as described in that resolution. Therefore, I am opposed to the amendment suggested by the member from Prince Albert. I would have, probably, some doubt whether I should vote even for the amendment that was suggested the other day. However, if the amendment is passed, I think it is in the right direction and no harm can come of it, because it does not apply until the conditions are such that it should apply. I do not look on this Grain Bill as a party measure. I know that, for a great number of years, both political parties have been striving to frame this Grain Act. In all that time I have never known that political considerations entered into the question. I do not see why they should, and I know that they should not. I am satisfied that members of the House of Commons on both sides, and members of the Senate on both sides, have endeavoured to lend their best judgment to bringing about legislation that would meet the situation. It must be remembered that, while this Bill is peculiarly fitted to temporarily relieve the situation of the western producer, its trade aspect is secondary. There are conditions in the west that are at times, very very hard. We will have them discussed under another clause here to-day —the car distribution and all those things —but I think the House would do well to leave this clause as it stands at present.

Hon. Mr. McHUGH—I would like to ask the hon. gentleman from Portage la Prairie whether it is true that all cars are inspected and get their certificate as they pass through Winnipeg.

Hon. Mr. WATSON—Yes.

Mr. McHUGH—That wheat goes down to the elevators and is stored at the terminal elevators?

Hon. Mr. WATSON—Yes.

Hon. Mr. McHUGH—Is it not possible, by the mixing system at the elevator, to put a low grade No. 1 and a high grade No. 2 together, and that the terminal elevator will be able to sell out more No. 1 than they bought in?

Hon. Mr. WATSON.

Hon. Mr. WATSON—Not according to law, no. It is claimed that that is done, but it is not according to law, because those elevators are subject to inspection. All the wheat that is graded is supposed to be put in bins under Dominion inspection.

Hon. Mr. McHUGH—If you allow mixing, will it be punishable then?

Hon. Mr. WATSON—The mixing is before the grading. After a car is inspected it cannot be tampered with in any shape or form, under the law.

Hon. Mr. DAVIS—But it has been.

Hon. Mr. WATSON—Some people say it has been.

Hon. Mr. TALBOT—I would like to say—

The SPEAKER—I call the hon. gentleman's attention to the fact that the House yesterday expressed itself as unwilling to permit a member to speak twice on the same question.

Hon. Mr. DE VEBER—This business looks to me something like a horse race, with a number of horses in it, and the jockey of each trying to obtain the lead, and we who are not in the race are the judges, and I think we should look very closely to the question before we judge as to what we should do. In regard to the sample market, it seems good to me. I know if I were buying a horse I would like to see the animal before I bought him; I would like to look at his teeth to ascertain his age, to look down his legs to see if there were any incipient splints, and I would like to look at his hocks to see if they were suspicious. To my mind, as far as it can be managed, the idea of a sample market is ideal. Locally it would be perfect; the farmer would bring his grain in and sell it on sample and get his money and go home. As far as any individual car can be handled separately, that would hold good; but when you have to ship grain as far as we have in the west, for instance from Alberta to Liverpool, it must go through a good many hands, must be changed into a good many cars and mixed with lots of other grain, and how could you

send a sample of that grain to England and be sure that you were delivering the same wheat? Whereas, if that grain is graded it goes to a certain grade, and you get your money for that grade. As to the mixing part, I am not so satisfied as I am with the sample market. The mixing is not an unlawful thing to do. If I go into certain parts of the country and buy one or two million bushels of grain, and they are of different grade, I can mix that if I like before it is graded. I can buy every bit of grain in a certain portion of the Northwest, and before it comes to be graded there is no law that I know of to hinder me from mixing that grain and putting it in any grade I like; but the very instant I have it graded I cannot mix it any more. There is nothing in the law to prevent a man from mixing his own grain to any grade he likes; and as it is unlawful to mix grain after it is graded, what is the use of putting the clause in at all? You have it right there in the old Act. That is the way I look at it, as a man in the street.

Hon. Mr. CHOQUETTE—I must confess that my opinion is very far from being clear on this subject, and many of my colleagues seem to be in the same position. It seems to be a question of fact between the elevator men and the farmers. I am rather inclined to be for the farmers than for the other parties, though I have nothing to say against them. The government have declared that they are not ready to put this clause into operation; they are willing to put in a clause to suspend the operation, which shows that there is something on which the government is not very clear. Why not, therefore, let the Bill go without that clause, and next year, after they study the situation, if the clause is necessary go back and put in the clause which they are willing should come into force by proclamation. We would then be in a better position to judge, and the government would be ready to say what they want. The attitude of the government has proved to me that it would be better for this to stand at present, and to vote for the amendment.

Hon. Mr. YOUNG—I would ask those who are advocating the retention of the system at present in force to bear in mind that we are not abolishing it in the slightest degree. Therefore if the strong features are there—and it has strong features—it would naturally be the most popular in the trade, and the sample market would have to take a secondary place. It is simply proposed to add another system. In committee the other day I said that the sample market was the ideal market, but I questioned whether the time was ripe, that is as to conditions, for taking care of the grain at such terminal points as Fort William and Port Arthur, where innumerable dealers in the grain business would be requiring bins for a number of grades of wheat. Many of them would want special bins to handle several of those grades, thus absorbing the bins; and bearing in mind that you still retain the old system; having this double barrelled system of storage to take care of at Fort William and Port Arthur, I fear there would be some difficulty in working it out. I fancy that was the phase of the question that prompted the leader of the opposition to amend the clause in such a way as to prevent the Act coming into force until such time as those matters were determined. My hon. friend from Prince Albert (Hon. Mr. Davis) has moved that subclauses 2 and 3 and clause 57 be struck out. In my opinion he should have moved only to strike out the second, because that would prevent any mixing, but the third would allow the stopping over of cars at Winnipeg, which is so absolutely necessary, mixing or no mixing, if you are to sell individual cars on the market. What will happen in practice? My friend behind me (Hon. Mr. Talbot) says that the dealer and the dealer alone is interested in this question. Quite the contrary—and I know what I am talking about. My hon. friend (Hon. Mr. Talbot) and my friend from Prince Albert will admit that the quantity of cars, especially of the individual farmers at both the terminal points, has increased very largely in the last two years, and is on the increase every year; therefore, all those cars

can take all the benefit arising from the sample market.

In reference to the inspection and afterwards switching the cars over to a sample market, in practice a car will come to Winnipeg regardless of who the owner is, and will be inspected. If the owner of the wheat expects that car to go No. I, and thinks it should, and as frequently occurs, the inspector says: 'No, it will go No. 2, rejected for smut'—I am giving an extreme case, but not as extreme as might be given—the owner of the wheat, whether farmer or dealer, will feel that he is hurt. I have had that difference of opinion myself in actual experience. Now, a sample market will come into play in reference to that car. The sample is there on the table, and if the miller says: 'I will give you within two or three cents of the value of No. 1 for that car,' as against the price which I, or the owner, would have to take if it went into the bin according to grade, it would be an advantage, whether the owner was producer or dealer, to sell that car by sample, and he would naturally take advantage of the law and sell that car on the sample market. On the contrary, if that car graded No. 1, the best the owner would expect to get for it, then he would not bother with the sample market; that car would go forward with the grade certificate No. 1 attached to it. The only object of the sample market would be to take care of the grain between the grade lines—midway, quarterway, or whatever distance it might be from the grade line—and to get the intrinsic value for the owner. My hon. friend, the leader of the government, has read the expressions of these farmers as to a sample market. My hon. friend the leader of the opposition suggested that in 1908 he had a long conference with the varied interests on this matter and everything else in his office in the city of Ottawa here.

Rt. Hon. Sir RICHARD CARTWRIGHT—And in 1909 and 1910.

Hon. Mr. YOUNG—I fancy my hon friend had annual visits from them, and received them very graciously, and gave them ample opportunity to discuss everything in connection with the grain business. But I find in 1908, Mr. Partridge, a very prominent gentleman connected with the Grain Growers' Association, who my hon. friend from Prince Albert (Hon. Mr. Davis) will admit is a very intelligent man, and had a great deal to do with the organization and placing the association on the successful footing which it holds at present, in giving his evidence before Sir Richard Cartwright, and the others who were present, says at page 97:

> We recognize, as very many grain men do, that it is only by a sample market that we can get the best results.

Hon. Mr. CAMPBELL—Nobody is objecting to the sample market; it is the mixing.

Hon. Mr. YOUNG—My hon. friend says that he does not object to the sample market, but he objects to the mixing. Now I want to show you, hon. gentlemen, that if you do not allow mixing you might just as well wipe out the clause altogether. For what on earth will a man do with a car of grain above the grade if he cannot mix it to get out of it, in some way, the premium he has paid on it; or if he cannot mix it what happens? He has to pass that car into the very grade the inspector says, and any premiums he has paid on it he will only have the satisfaction of having contributed his mite to the raising of the average of the bins.

Hon. Mr. TALBOT—I would like to know if this proposed mixing will take place after the grain leaves the possession of the farmer, or before? That is, while it is in his possession, or after it has left his hands.

Hon. Mr. YOUNG—First and foremost, let me say that every farmer that sells a load of grain on the country markets sells it on the sample market basis. He works under that principle; and he would not work under any other. Secondly, when the grain reaches Winnipeg the farmer owns it up to the time it comes to the inspector—I am now speaking of a farmer's car, He may be disappointed in the result of that inspection, and he can only get the grade price. The lower the grade the greater the spread; he gets a much less price than what he thought his cars should have graded for. He has to take the next

lowest grade, say three or four cents less. He has a choice of two things—of putting his grain into the bin that similar grain has been in formerly and holding his certificate, or he could come to you and say: 'My wheat is worth three cents a bushel more than grade; will you give it to me, or will I have to send it down and take the grade value for it'?

Hon. Mr. TALBOT—Is the case you have instanced not an exceptional case, one out of perhaps a thousand, or is it general?

Hon. Mr. YOUNG—A farmer's car is no better or worse before our vigilant inspectors than a dealer's car. There is no choice, no preference. It would be on the law of averages, in proportion to the number of cars shipped by the farmer.

Hon. Mr. TALBOT—But as a matter of fact, does the farmer, except in very rare cases, raise any objection to the grading proceeding?

Hon. Mr. YOUNG—I am advised by the Inspection Department that one of the most active men in fighting his grade, if it does not suit him, is the farmer; and let me tell this House that the Grain Growers' Grain Co. felt it necessary, in the interests of its customers, to take a gentleman into their service who was formerly connected with the inspection department, to go down to the yards and take samples side by side with the inspectors, and they held judgment over it themselves to verify the inspector's decision, and if they did not think the decision was the proper one, to appeal to the Survey Board if necessary, and obtain justice for their customers. Other firms do the same thing. Let me assure my hon. friend that the farmer is not backward in making complaint, and very properly so. Now it is up to us to say whether this will be left on the statute-book under such conditions as impose a responsibility on the government to see to it that that clause is not put into effect until the conditions and circumstances are right for it. If it were not that I did not want to delay the House, I could point out that in this report of the conference of 1908 the railway men bitterly opposed the proposition of special binning at Fort William and Port Arthur. One prominent railway man, in expressing his views, said: 'If you adopt that system we will have to spread our elevators all over the place to find room,' and they made an estimate of the number of bins that would then be required. Mr. Partridge said there were about 300 dealers, and how many would require bins it was impossible to say. My only desire is to give you some practical information on the working out of it. A great many erroneous impressions have been created in connection with this whole system and method of handling grain—that it is going to be entirely for the benefit of the combine, as my hon. friend from Prince Albert has affirmed so often. That is an erroneous idea to place before this House. Advantages are in favour of the owner of the grain when it comes before the inspector in the first instance, whoever that owner may be, and who gets it at the sample market and pays a premium on his wheat over and above the grade.

Hon. Mr. DAVIS—Surely my hon. friend knows that the representatives of the owners of the grain are here opposing that.

Hon. Mr. LOUGHEED—No, I take issue with my hon. friend. I should like the House to know that the Grain Growers' Association only represents ten per cent of the farmers of the west; and when my hon. friend gets up and says he represents the grain growers of the west I do not wish the House to be deluded to that extent. The commission to which I have referred made a pronouncement upon the fact that the Grain Growers' Association only represent about ten per cent of the farmers.

Hon. Mr. DAVIS—Not at all; the Grain Growers Association represent the men that grow from sixty to seventy per cent of the grain in the west.

Hon. Mr. LOUGHEED—Take the report of the commission appointed by the province of Saskatchewan: 'The Grain Growers' Association is an organization numbering somewhere about ten per cent of the farmers.'

Hon. Mr. DAVIS—Yes, but one farmer grows 100,000 bushels and another grows ten bushels. The members of the Grain Growers' Association are the people who grow the wheat.

The House divided on the amendment which was rejected on the following division:

Contents:

Honorable Messieurs

Bostock,	Jaffray,
Boyer,	Jones (Sir Lyman),
Campbell,	Kerr,
Cartwright	McHugh,
(Sir Richard),	McMullen,
Choquette,	Power,
Coffey,	Prowse,
Davis,	Ratz,
Derbyshire,	Roche,
De Veber,	Talbot,
Farrell,	Wilson (Sorel),
Forget,	Yeo.—24.
Godbout,	

Non-contents.

Honorable Messieurs

Baird,	Landry (Speaker),
Béique,	Legris,
Bell,	Lougheed,
Bowell	Macdonald
(Sir Mackenzie),	(Victoria),
Dandurand,	McLaren,
Daniel,	McMillan,
David,	Montplaisir,
Dessaulles,	Poirier,
Ellis,	Taylor,
Fiset,	Thompson,
Gibson,	Watson,
King,	Young.—24.

Hon. Mr. DAVIS—I move that the Bill be not now read the third time, but that it be amended by striking out paragraph 'e' of clause 207. This is the clause which refers to the distribution of cars. I do not want to take up time on this, because it was discussed before. Very strong pressure has been brought to bear from all quarters in reference to this clause. The legislature of Saskatchewan unanimously passed a desolution in reference to eliminating this clause, and it has had the support of a great many of both parties in the other House.

The SPEAKER—I would call the hon. gentleman's attention to the fact that he has no right to speak on the amendment at all. He has exercised his right in speaking on his first amendment.

Hon. Mr. LOUGHEED.

Hon. Mr. DERBYSHIRE—I move that the Bill be not now read the third time, but that it be amended by striking out paragraph 'e' of clause 207.

Hon. Mr. TALBOT—I understood from somebody that it was the intention of the government to drop this paragraph 'e'.

Hon. Mr. LOUGHEED—That is not the intention. We are entirely in the hands of the House. The government has deliberately put this clause in on the representations of the farmers themselves.

Hon. Mr. YOUNG—I do not wish to be understood as suggesting in any way that the car order clause of the Grain Act should be ruthlessly put aside and disturbed by paragraph (e). I rather want to make some special pleading for one class, and one class alone—the men who reside at too great a distance from the loading point to take advantage of the car-loading clause of the Act. I am not asking that any increase in car supply shall be given to the elevators; if I were, I should be treading on personal grounds, because in a small way I have an interest in a line of country elevators. If I were taking any greater part in this matter than I am taking, I would move that paragraph (e) be struck out. Possibly the wording of my amendment is not just right, but my idea is that any deviation from the car order clause, as it is at present, should only be for the direct benefit of those who come in twenty, thirty and forty miles to market with their individual loads and find they are unable to dispose of them, and have to make the best shift they can. I am not wedded to the wording I would suggest, but I will read it, and perhaps in your wisdom, if you think these men can be provided for without giving any advantage in the slightest to the elevator companies, more than they have at present, which is not much, but leaving that intact, I would suggest that you might strike out paragraph (e) and say:

That whenever upon complaint, and supported by affidavit of farmers, and after due examination, it is found that grain is being offered on the market by farmers residing at too great a distance from any loading point to participate in the car loading provisions of this Act, and they are unable to market

their grain, and the board considers it necessary and advisable in order to relieve this congestion, and thereby facilitate the despatch of such grain there within the terms of the car distribution clauses.

The wording may not be right, but you have my idea. This could only be applied for one purpose, to take the grain off the street. It may be objected that this may be a difficult order, and that it cannot be worked out. My answer to that is that if it cannot be worked out, then the car order clause shall remain intact and locked up as it is at present. I think that is a fair proposition. A great many cures have been suggested for the unfortunate congestion we have at times in the Northwest. Some have suggested that a percentage be given to the farmers, and a percentage to the elevators, but the idea amongst fair-minded men, grain growers as well, some of them prominent in the councils of the organization, has been that the class I have indicated have no show whatever under the car distribution clause if there is a car shortage, under present circumstances. Let me point out to you that the man outside the car-loading line very seldom draws his grain to market during the open season in the fall. Of necessity he must devote as much time as possible to farming operations before the freeze-up. The best he can do to draw his grain to market is one load a day, while the men who can take advantage of the car-loading may load a car in a day. Therefore, you can see that in order to haul so large a quantity of grain to market, he would have practically no time in the fall to attend to his farming operations. As a rule the man draws in a load or two in the fall while his farm operations are going on, because he has debts to pay for twine, blacksmithing, &c., and then he will leave the rest of his crop until the ground is frozen and he cannot go on with farm operations. Then he comes on the market to find that there may be possibly at some points sixty or seventy loads of grain there, and a car comes in and the first man on the car-order book gets that car, though he may be a man within a mile of the track, and he may have loaded one or two cars already; but it does not matter how many individual farmers are standing on the street or what distance they will haul their grain, that part goes to the benefit of one as against the disadvantage of many. Now that is not a very reasonable situation. Another unfortunate position arises, that the car-order book gets clogged up with dead orders and there is no way to clear it up. Taking it all in all, I do not think it is asking too much to devote a few minutes to consider the class of farmers indicated, and see whether or not we cannot at least try to afford them some relief.

Hon. Mr. BEIQUE—Yesterday I stated that, having heard the representations of the farmers, I was against paragraph 'e' of clause 207. They were unanimous in demanding that this be dropped; and I think it was a great concession to give to those who were advocating clause 207 as it stands, to introduce in that clause paragraph 'b,' which was to be a mere temporary application of relief in case of damp grain. But I must not lose sight of the fact that when the representatives of the farmers were heard the other day it was stated, and not denied, that the farmers from long distances were at a great disadvantage; that farmers had to wait some five, six or seven days with their load of wheat before being able to discharge their wagons; and it must be at very high expense, and if at all possible we should come to the relief of that class of farmers. They live at a long distance from the cars, some 25 or 30 miles, and they are kept from five to eight days before they can unload their wagons on to the cars.

I think there is a good deal in the idea expressed by the hon. gentleman from Killarney (Hon. Mr. Young), and I think it deserves consideration by this House. It is not quite plain to my mind as to whether a proper clause could be framed to give effect to the idea, but it is worth consideration. I, therefore, move that this debate be adjourned to the next sitting of the House, to be the first order after third readings.

The motion was agreed to.

BILL INTRODUCED.

Bill (152) An Act to extend the boundaries of the province of Ontario.—Hon. Mr. Lougheed.

The Senate adjourned till three o'clock this afternoon.

Second Sitting.

The SPEAKER took the Chair at Three o'clock.

Routine Proceedings.

THE CANADA GRAIN BILL.

THIRD READING.

The order of the day being called:

Third reading Bill (32) An Act respecting Grain.

Hon. Mr. YOUNG—The hon. member from Montreal, who had the floor this morning, has been called away, and asked me to present some matters to the House. The question had been raised as to whether it would be possible to grant relief to farmers, in the matter of loading cars, residing at too great a distance from a railway. The hon. gentleman devoted a great deal of his time during lunch hour to endeavouring to frame a clause. He had an informal conference with those representing the various interests, but found great difficulty in framing a clause either to his own satisfaction, or to the satisfaction of the House, on so complicated a question. He asked me to read to the House the clause he suggested, prepared in a hurried manner and in the short time at his disposal. He does not feel satisfied that he has, in this intricate and complicated question, properly worded an amendment to meet the views of the House. The proposed amendment is as follows:

> In time of unexpected congestion, and for the sole purpose of coming to the relief of farmers who may have come from distances exceeding 4 miles, with the expectation of being able to unload their grain, but kept waiting for several days before being able to do so, then the board may order, &c.

This is the cue of his suggestion. After a good deal of consideration and discussion, I think the nearest relief that can be given under the circumstances which are so far reaching as car shortage, is possibly the erection of internal large storage elevators, where the short haul would take place, and where, if grain were inspected at those elevators, the farmers who own the grain would be able to sell, or realize on it in such a way as to relieve their obligations. Any of us who have given the matter consideration and endeavoured to limit the action of the board to the class of settlers indicated in this amendment, must realize that the difficulties in framing a measure to fit this state of affairs multiply as we go on discussing the various features. In view of this, and in view of the fact that we are having this year an experience in car shortage which may help them out, I would ask the leader of the government to seriously consider, under the circumstances, and at this late date of the session especially, a withdrawal of clause 'e' entirely leaving that matter to be dealt with at some future time. With the experience of this year, added to the experience of other years, they might take into consideration the building of these interior elevators that I have suggested, or any other matter that in their judgment may help to ameliorate to some extent car shortage when it exists.

Hon. Mr. TALBOT—I was very much pleased, indeed, to hear my hon. friend from Killarney (Hon Mr. Young) make some suggestions which would lead us to believe would be favourable, or would work to the advantage of a certain class of the western farmers at least. I was not pleased because I thought that his suggestion would really be workable, but I rather thought it was a sign of a gentle prick to his conscience for the vote he had given this morning.

This question of the distribution of cars has a very long history. In the early days of wheat growing in the west, and when the elevators were first erected, the farmers had to sell their grain to the elevator people and they soon found that they were being robbed. The elevator people were putting the grade of their grain as low as possible, and paying the least possible price. It was only natural that they should do that, and they did it. The farmers began an agitation for the right and privi-

lege of getting cars and shipping their own grain to Winnipeg and Port Arthur and Fort William, and selling the grain through commission agents. After many years of agitation they got that privilege. They came to Ottawa year after year before they got that privilege of getting cars in a certain rotation and shipping their own grain. Ever since, the elevator people have been trying to break that arrangement and to compel the farmers to ship their grain through the elevators. I want to point out the result of such a condition. In the town of Lacombe, in which I live, there are elevators. The neighbouring locality is chiefly adapted to mixed farming and not a great deal of wheat was grown. A few farmers have gradually been increasing their acreage of wheat. I know two of them particularly. One of them grew something over 3,000 bushels of wheat and had a sufficient quantity to ship by carload lots. He ordered his car and secured it. His wheat was graded No. 3 and was sold in Winnipeg through a commission agent and the owner realized 78 cents net per bushel for his grain. The other farmer adjoining him, a man whom I am particularly acquainted with, had not sufficient wheat to ship a carload lot, and he had to go to the elevator. There are two elevators in the town. He went to both of them, and they agreed that his wheat was No. 3 grade, and he sold to one of the elevators, but only received 62 cents a bushel for it. The small farmer who is not able to ship his grain by carload lots is robbed in that way continually, and I do not see any way of preventing it, because there is a combine among the elevator men and no competition. I have another case that I desire to put as clearly as possible before this House. In the town of Sovereign, in the province of Saskatchewan, since the Bill we passed a few weeks ago came into effect, a certain farmer requested cars. There are two elevators there, one called the State elevator, and the other called the Goose Lake Grain and Lumber Company's elevator. Both of these were buying grain. The farmer had asked for cars, but advantage was taken of the new law and eight cars were given to the elevator companies. The cars loaded by the State elevator were as follows: Canadian Pacific railway cars Nos. 73946, 57968, and 44869; by the Goose Lake Lumber and Grain Company, Canadian Pacific railway cars Nos. 84968, 83654, 92324, 38656, and Canadian Northern railway car No. 43744. These cars were loaded out of their order by these elevators, the alleged reason being that the grain was damp, or getting out of condition. The cars left for Winnipeg where they were to be inspected. The farmers of the locality got suspicious and sent to their agent in Winnipeg and found that these cars were graded straight, and that there was nothing wrong with the grain. What is the result? In that same town a farmer brought his grain in and went to the elevator and was told that his grain was No. 2, but that No. 2 bin was full and they would have to put it in No. 3. That would make a difference of some 2 or 3 cents a bushel to that farmer. He went down to see the other elevator company and was told the same story. After going through the town trying to secure a place in which to leave his grain, or to sell it to some merchant, he found that he could not do anything with it and he went back to the elevators and said, 'I guess I will have to take No. 3 bin and No. 3 price.' The elevator man said, 'I am very sorry, No. 3 bin is full and No. 4 bin is full, and the best I can do for you is to give you No. 5.' There are many cases of robbery like that in the west, and if this privilege is to be taken from the farmers, of having some show of justice and fair-play, so that they can ship their grain in carload lots, then I think there is something wrong. I would dislike very much to see that privilege taken from the farmers of the country. Nine-tenths of the farmers will be very sorry indeed if this Bill is passed in its present form. We want sub-clause (e) eliminated.

Hon. Sir MACKENZIE BOWELL—We have devoted a great deal of time and a good deal of attention to this Bill. The great contention seems to be the insertion of sub-clause (e) in clause 207. I have no desire to comment on the remarks made by the hon. gentleman who has just taken

his seat, but I want to make a suggestion to the leader of the government in order to meet, as far as possible, the objection which has been taken to this clause. From my own standpoint, I should consider it was an admirable provision to meet the difficulties which have been pointed out, that have arisen in the past. I am going to suggest, in order to meet the views of those who have made some strong objection to it, that that section of the clause should be dropped. If it is found during the coming year, after harvest, that a provision of a similar character is necessary, parliamnet can step in and enact it. In the meantime, if we are to end this session before next Christmas I would suggest that the clause should be dropped.

Hon. Mr. THOMPSON—I quite agree with that idea. I think the consensus of opinion in this House is that this section should be dropped. I quite appreciate what the hon. gentleman from Lacombe (Hon. Mr. Talbot) has said. Yet I cannot quite understand why a farmer should start from his home, 25 or 30 miles away, with a load of grain, without first having sent a postcard a week before to some of these buyers in order to ascertain what he can get for his grain.

Hon. Mr. TALBOT—The vast majority of farmers have telephones and they know the price.

Hon. Mr. DAVIS—The hon. member from Killarney (Hon. Mr. Young) made the suggestion that this clause should be dropped. I understood there was going to be an amendment moved by the hon. member from De Salaberry (Hon. Mr. Bèique).

Hon. Mr. DERBYSHIRE—The leader should be ready to drop it; why do you not ask him to do so?

Hon. Mr. LOUGHEED—The object of the government in inserting this clause was to meet such cases of hardship as have been pointed out by the hon. gentleman from Lacombe. It certainly was in the best interests of the farmers, they thought, to make a provision of this kind. The expressed sentiment of this House, however, may possibly be against it, and, under the circumstances, the government would have no desire to obtrude upon parliament a provision whch is not acceptable. In deference to the sentiment expressed, I will not divide the House but regard the amendment carried as on a division, as this, in any event, would seem to be the likely result. There is an amendment which I should like to make to section 41.

The SPEAKER—I suppose the hon. member who made the motion in amendment will drop his amendment?

Hon. Mr. DERBYSHIRE moved that subclause (e) of clause 207 be struck out of the Bill.

The motion was agreed to.

The Bill was then read the third time and passed.

JUDGES' ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (156) An Act to amend the Judges' Act. He said: I stated that I would obtain information for my hon. friend from Toronto as to the representation made by the Ontario government to this government for the appointment of two additional judges. I saw the Minister of Justice, and he said very great pressure had been brought to bear on the department, both by the Prime Minister of Ontario and the Attorney General, and also one of the Chief Justices of the High Court of Justice of Ontario, and it was only after very urgent representations had been made that provision was made for two additional judges.

Hon. Mr. BOSTOCK—Have any steps been taken by the government to consider the salaries of County Court judges in British Columbia ?

Hon. Mr. LOUGHEED—I can say nothing about that.

Hon. Mr. POWER—With respect to this measure I understand the hon. gentleman to say that the increase in the number of judges has been recommended by the Chief Justice of Ontario?

Hon. Mr. LOUGHEED—No, I said one of the Chief Justices of the High Court of Justice of Ontario.

Hon. Mr. POWER—I assume, perhaps that is the same Chief Justice who is being appointed to an important commission, and consequently I think his recommendation cannot be called a disinterested one.

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

THIRD READING.

Bill (167) An Act respecting the incorporation of Live Stock Record Associations.—Hon. Mr. Lougheed.

MILITIA ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (171) An Act to amend the Militia Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am not prepared to move against this Bill, but I call attention to the utter and ridiculous absurdity of appointing a dozen, or a score, of generals to look after what? To look after, I suppose, about 1,500 permanent force men. Making generals of militia officers, gentlemen who have never smelt powder or heard a bullet whiz, appears to me to be making a farce of the thing and to be bringing the people of Canada and the Militia Department into considerable ridicule. It appears to me that the creation of all these generals tends very decidedly to lower us in the eyes of reasonable thinking men. One general we might have for looking after our little permanent force, but if I understand aright, the last clause of this Bill it is proposed to dub a score of gentlemen, who retire, major-generals, and for what? If I am not mistaken—I shall be very glad to be corrected—but as I read the Bill, it appears to me to be supremely ridiculous, and to make us appear supremely ridiculous.

Hon. Mr. LOUGHEED—I never had any sympathy with the tu quoque argument, yet I might remind my right hon. friend that it was the government to which he belonged that introduced this conferring of high military distinction on military officers. In fact, I am unaware of the present government, except in one case, having conferred this honour on any officer.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am now free to express my individual opinion. Now you are apparently going to create a whole batch of them.

Hon. Mr. LOUGHEED—No, the object of this Bill is rather to restrict the conferring of the honour than to indulge in it. It appears that Major-General Otter, who was the first appointed major-general, was appointed by order in council, and the facility of making appointments by order in council seems to have appealed so strongly to the late government, or military officers, that it was repeated on several occasions, and the opinion has been given that the government had no authority by order in council to confer this distinction. The military gentlemen who have been carrying the distinction seem to have a feeling of uncertainty whether it belongs to them legally, and for the purpose of ratifying what has been done, this Bill has been introduced.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am willing enough to respect vested rights, even in the case of generalships. What I object to is that the last clause practically means you are going to create a flood of these officers.

Hon. Mr. LOUGHEED—No, I do not think it.

Rt. Hon. Sir RICHARD CARTWRIGHT —It gives that power, apparently. Has the hon. gentleman looked at it?

Hon. Mr. LOUGHEED—I did look at it yesterday. There are two clauses in the Bill, one dealing with conditions in time of peace, and the other when the militia is called out for active service.

Rt. Hon. Sir RICHARD CARTWRIGHT --You will be asking to create field marshals presently.

Hon. Mr. LOUGHEED—I hope, with my hon. friend, that those distinctions will be

dealt out very sparingly. It is always difficult, however, to foresee what importunities may be brought to bear on the government.

Rt. Hon. Sir RICHARD CARTWRIGHT —If it were in the hands of my hon. friend, we would have a feeling of security that the power would not be abused.

Hon. Mr. LOUGHEED—I can assure my right hon. friend there would not be many major-generals if it were in my hands.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am quite willing that the government should take the responsibility of appointing one or two officers of Major-General Otter's rank. The chief officer of militia and the chief officer of the permanent force might have that distinction accorded to them but if you are going to bestow it on a whole shoal of retired officers, there is no question about it you would make us ridiculous.

Hon. Mr. LOUGHEED—I quite agree.

Hon. Sir MACKENZIE BOWELL—This Bill is simply to legalize what the late government did illegally.

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

TARIFF COMMISSION BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill (88) An Act for the appointment of a Tariff Commission.

(In the Committee.)

On clause 4,—Duties of the commission.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that clause 4 of the Bill be amended as follows:

1. By inserting immediately after paragraph (g) of subsection 1, the following paragraphs:
(h) the grounds, if any, for believing that articles in question can be produced as cheaply in Canada or elsewhere within a limited period;
(i) what other industries would be affected by increase of duty;
(j) the effect of any employment in question on the health of employees;' and

2. By inserting immediately after the word 'minister' at the end of subsection 1 the following:—
Provided always that in all cases where the commission reports in favour of any increase of duty, or where any application for an increase is made the commission shall, in addition to reporting upon the above matters, make a special report which, in the case of any industry already established, shall state—
(a) the number of factories now existing and the number of hands now employed, giving in each case the number of men, women and children respectively;
(b) the amount actually expended in cash in erecting and equipping the same;
(c) the nominal capital and amounts of bonds and liabilities, also whether any mergers or combines have taken place and the amounts of watered stock issued;
(d) a list of the shareholders and the number and amount of shares held by each shareholder;
(e) the dividends paid during each of the preceding ten years;
(f) the wages of hands and the number of hours worked per diem;
(g) the total amount of goods of the kind produced in each factory consumed in Canada, whether home-made or imported.

Hon. Mr. LOUGHEED—I might say we have discussed this pro and con for such a length of time that I think the better way is to simply move the amendment, let it carry and send it to the Commons.

Rt. Hon. Sir RICHARD CARTWRIGHT —By this amendment each factory is freed from the necessity of giving a detailed account.

Hon. Sir MACKENZIE BOWELL—Why should it not apply with equal force to those who are demanding a reduction of duty?

Rt. Hon. Sir RICHARD CARTWRIGHT —My experience is there are none.

Hon. Sir MACKENZIE BOWELL—The free traders are constantly asking for a reduction of tariff, and the government should be in possession of the reasons for the desired change.

Rt. Hon. Sir RICHARD CARTWRIGHT —They have the power to ask for all that under the general law.

Hon. Mr. WATSON—I think it is a very proper suggestion to make for the reason that very often a person who asks for a reduction of duty is asking for a reduction

on an article which is another man's manufactured product, and he is seriously affected by it.

Hon. Sir MACKENZIE BOWELL—The man who is asking for an increase of duty is asking for a protection which will interfere with the importation of certain articles, which another manufacturer may require.

Rt. Hon. Sir RICHARD CARTWRIGHT—That is dealt with in another part, in which it is provided that a report must be made to the effect that any alteration on other industries must be reported on.

Hon. Sir MACKENZIE BOWELL—That applies with the same force under the law without the amendment as it does with it.

Rt. Hon. Sir RICHARD CARTWRIGHT--Exactly.

Hon. Sir MACKENZIE BOWELL—What is sauce for the goose is not sauce for the gander. It is sauce for the goose alone.

Hon. Mr. DERBYSHIRE—The only goose who will suffer is the poor farmer.

Hon. Sir MACKENZIE BOWELL—And the poor cheesemaker.

Hon. Mr. ELLIS, from the Committee, reported the Bill with amendments, which were concurred in.

The Bill was then read the third time and passed.

WINNIPEG AND ST. BONIFACE HARBOUR COMMISSIONERS BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole House on Bill (138) An Act to incorporate the Winnipeg and St. Boniface Harbour Commissioners.

(In the Committee.)

Hon. Mr. LOUGHEED—This is precisely similar to a Bill passed during the present session regarding the harbour of Hamilton. This proposes to give authority to incorporate a harbour commission for the cities of Winnipeg and St. Boniface.

Rt. Hon. Sir RICHARD CARTWRIGHT—I was under the impression that both Winnipeg and St. Boniface were inland ports.

Hon. Mr. LOUGHEED—Owing to the construction of St. Andrews locks, and the improvement of the Red river, and the navigation which is tributary to Winnipeg, there is considerable shipping from the city of Winnipeg, and it is necessary to build wharfs and carry on certain improvements upon the river front.

Rt. Hon. Sir RICHARD CARTWRIGHT—How much shipping has passed through St. Andrews locks ?

Hon. Mr. LOUGHEED—I cannot give my hon. friend the volume of shipping. However, it entails no obligations on the government. It is simply a matter of domestic arrangement between those two cities.

Rt. Hon. Sir RICHARD CARTWRIGHT—What on earth do they want to do ?

Hon. Mr. LOUGHEED—Well, it is necessary for them to make certain arrangements in what is known as the harbour, or on the river front, and it is thought that this is the most advisable way of doing it.

Hon. Mr. DERBYSHIRE—They pay their own money, do they ?

Hon. Mr. LOUGHEED—They raise their own money.

Hon. Mr. WATSON—It is expected that there will be considerable traffic to and from Winnipeg. Of course, St. Andrews locks have not been used much down to the present time, because they have been open only a year, but the whole of Lake Winnipeg is now made tributary to the city of Winnipeg.

Rt. Hon. Sir RICHARD CARTWRIGHT——How many miles is it from Winnipeg to the lake ?

Hon. Mr. WATSON—About forty miles; I think they have navigation for boats drawing eight feet of water as far as Win-

nipeg and there is a movement on at present for improving Red river right up to Minnesota. In Minnesota there is a good deal of traffic along the Red river, collecting wheat at different points. So far as the traffic to Winnipeg is concerned, there is no doubt that city will get a large supply of its fuel, building stone, building sand, and building material from Lake Winnipeg. This Bill entails no charge, and it is thought by the people of Winnipeg to be the best plan to improve the waterfront along the Red river.

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

The Bill was then read the third time and passed.

DRY DOCKS SUBSIDIES BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (180) An Act to amend the Dry Docks Subsidies Act, 1910. He said: I am sorry that I am not just as familiar as I should be with the particulars of this Bill. It is an amendment to the present Act. Owing to the increased size of ships, it is necessary to make provision for very much larger docks than were contemplated in the Act as it now stands on the statute-book. It is necessary to amend the Act, and I shall have certain information from the Minister of Public Works when we go into the Bill, dealing with the further details.

Hon. Mr. POWER—There is one point with respect to this measure as to which I hope the hon. gentleman will give the House some satisfactory information at the next stage. When the Act, of which this is an amendment, was before this House, I felt it my duty to criticise the measure, and I feel that it is still more my duty to do so now. At that date I was on the government side of the House and now I am on the other side. Briefly stated, the effect of this legislation is that the country builds the dry docks—pays for them at any rate—and then the companies own them.

Hon. Mr. LOUGHEED—Canada simply guarantees the interest on the bonds for a period of years.

Hon. Mr. POWER—That comes to the same thing. I do not wish to in any way raise a question with respect to the character of any of the harbours where these dry docks ought to be located. If a dry dock is not so located so that ships which come to grief on the ocean are likely to be repaired there, then a dry dock cannot pay. If I remember rightly, the Act of which this is an amendment, provides that the government may take the dock over and operate it.

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. POWER—It just comes to this, that if the dock does not pay working expenses, then the company will drop out and the government will have a white elephant on its hands, a most expensive dry dock which they will be afraid not to operate, and which will mean a continual drain on the treasury. It does seem to me that where a company undertakes to build any work of this kind, the company should take a reasonable risk. In this case, the country takes the whole risk, and the company practically takes none. I understand the present Minister of Finance is looked upon as a good business man. I am surprised that a proposition of this kind should secure the concurrence of one whom I believe is a good business man, and I can not help feeling that the hon. the Minister of Finance has been, to a certain extent, overborne by his colleagues in the cabinet. I do not see how any business man could ever have become a party to such an arrangement as is embodied in this Bill. When the company came and asked for an increase of the amount of subsidy, there was an opportunity then to impose such conditions as would have made the bargain a little less one-sided, and I am sorry that, as far as I can judge from a hasty glance over this Bill, there is no such safeguard in it.

Hon. Mr. DOMVILLE—Does the hon. gentleman wish to lay down the proposi-

tion that we are not going to have dry docks until they will pay for themselves? The country should assist in the construction of dry docks to provide for the large vessels which come to our ports. The fact that a dry dock does not pay is no argument against it; we would never have dry docks at all if we acted on that principle. Let us look to the future and build up the country. I know that Halifax is asleep and has not taken advantage of the great progress of Canada. The aristocratic people there lived on the navy and military for a while, but they have gone away. True we have given them a militia to help them out. I think it would be a very short-sighted policy if we imposed on the people who came from England and invested their capital here the penalty of taking the risk of the trade of Canada. If they have erected those docks there, and they suit the requirements of the country, those people have done their duty, and it is up to us, with our large surplus, to relieve the situation and do what we can to maintain them. Canada must have the dry docks.

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

YUKON PLACER MINING ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill (181) An Act to amend the Yukon Placer Mining Act. He said: This Bill consists of amendments to the Act which was passed by parliament some time ago. The amendments are of an unimportant character and very largely provide for additional machinery to facilitate the working of the Act as it at present stands. The Act was considered a short time ago and was found in many respects to be inapplicable to many conditions there. These amendments are for the purpose of bringing the Act into line, to meet the changing conditions which are arising from time to time.

Hon. Mr. BELCOURT—I think this Bill is a proper one. The principal provision is to enable miners whose claims are contiguous, to group them so that the work on one claim may be applied to the others—to co-operate. I have no doubt in the present condition of mining in the Yukon this measure is very much required in order to enable miners to keep their claims and to do a certain amount of work. That is a provision which exists to-day in Ontario. Persons owning claims in the Cobalt region may form a partnership for the purpose of doing work on one claim to apply to a number of claims which are contiguous.

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

GOVERNMENT HOUSE PROPERTY, TORONTO, BILL.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill (182) An Act respecting the Government House property, Toronto. He said: Under the provisions of section 108 of the British North America Act this property was appropriated by order in council for militia purposes in 1871, and later in 1908 Letters Patent were issued vesting the title in the property to the Crown and the province of Ontario. The property has now been sold to the Canadian Pacific Railway Company, and the province of Ontario, in making a transfer of same to the railway company, has been met by the difficulty in title. The opinion has been expressed by the lawyers who have had to do with the title, that the transfer, or deed, should be sanctioned by parliament and not by order in council of the Governor in Council, as was made to the province of Ontario. It is therefore proposed that this Act shall be passed for the purpose of confirming the title of the province to the property so as to permit of their passing it to the Canadian Pacific Railway Company, who bought it.

Hon. Mr. BELCOURT—Will my hon. friend tell us what this land was used for when it was appropriated for public purposes?

Hon. Sir RICHARD SCOTT—Government House property.

Hon. Mr. BELCOURT—What was it prior to that, 1871, at the time when it was turned over to the Crown for public purposes ?

Hon. Mr. LOUGHEED—Under section 180 of the British North America Act it was appropriated by order in council for militia purposes.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think it was part of the Ordnance lands, though.

Hon. Sir RICHARD SCOTT—No, it was government property of old Canada.

Hon. Mr. BELCOURT—It was property expropriated by the provinces of Canada.

Hon. Mr. LOUGHEED—Yes, it belonged to the old province of Upper Canada.

Hon. Mr. BELCOURT—It is not land we got from the Crown by the right of the Imperial authorities ?

Hon. Mr. LOUGHEED—No.

Rt. Hon. Sir RICHARD CARTWRIGHT —If my memory serves, this belonged to Upper Canada, as it then was called, before the union with Quebec.

Hon. Mr. LOUGHEED—Yes, I have no doubt.

Hon. Mr. BELCOURT—What I want to get at is this, it was not land set aside for public purposes for all time ?

Hon. Mr. LOUGHEED—No.

Hon. Mr. BELCOURT—It would be so if it were land got from the Imperial authorities.

Hon. Sir MACKENZIE BOWELL — I understand this was ordnance property and when it was transferred to the Dominion it was appropriated for the use of the government of the province of Ontario. My hon. friend will remember that during the administration of the government of Mr. Mackenzie there was a proposition to allow the province of Ontario to dispose of this property for other purposes, and they were met with the difficulty that it was allotted to the province of Ontario for government purposes and could not be diverted from those purposes. The present Bill is to enable the province of Ontario to dispose of it, which they have done, as I understand, to the railway company, and intend to build their Government House in another part of the city.

Hon. Mr. DOMVILLE—It is clearing up the title.

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. LOUGHEED—It is simply a confirmation of the Letters Patent issued by the Dominion government in 1908. No other question of title seems to have arisen but the inadequacy of the Letters Patent to transfer it to that province.

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

ONTARIO BOUNDARIES BILL.

SECOND READING POSTPONED.

Hon. Mr. LOUGHEED—moved the second reading of Bill (152) An Act to extend the boundaries of Ontario.

Rt. Hon. Sir RICHARD CARTWRIGHT —Does this contain any reference to what is known as the strip to be assigned to Ontario by mutual agreement.

Hon. Mr. LOUGHEED—Oh, no. That has nothing to do with the Bill. That will be the subject of a second transaction between Ontario and the Dominion government.

Rt. Hon. Sir RICHARD CARTWRIGHT —This is copied verbatim et literatim from the resolution which was passed some two or three years ago.

Hon. Mr. LOUGHEED—Practically the resolutions of 1908.

Rt. Hon. Sir RICHARD CARTWRIGHT —Is it exactly the same?

Hon. Mr. LOUGHEED—I do not know of any difference. The boundaries of both

Ontario and Quebec were defined in the resolution brought down in June, 1908.

Rt. Hon. Sir RICHARD CARTWRIGHT —Does this copy that?

Hon. Mr. LOUGHEED—I so understand it.

Rt. Hon. Sir RICHARD CARTWRIGHT —It does not refer to it that I can see. It only refers to the Canadian boundary of 1899.

Hon. Mr. LOUGHEED—That is as to the boundary between Manitoba and Ontario. I hope to have further information to-morrow. 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 discharged.

OTTAWA AND LAKE McGREGOR RAILWAY COMPANY ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

Hon. Mr. BELCOURT introduced Bill (K 3) An Act to amend the Act of the present session entitled the Ottawa and Lake McGregor Railway Company. He said: The Bill which this amends was a private Bill which passed the Senate without any amendment. When it reached the other House some members objected to some of the provisions of the Bill on the ground that they were not covered by the notice or petition. The committee was unanimous on the point and struck out sections 10, 11, 13 and 15. Among the sections struck out was subsection (b) of section 10, which was amply covered by the petition. It was a petition in regard to acquiring lands and the notice asked for power to acquire, lease, build, own, &c., hotels, houses and other buildings. Mr. Hartney, a clerk of the committee in the other House, explained to me that subsection (b) had been stricken out by the chairman because he had struck out the first part of the section and ran his pen through this subsection thinking it was equally open to the objection which had been made to the other portions. Mr. Hartney recollected at once that it was an error. I now introduce a Bill for the purpose of correcting this mistake.

The Bill was read a first time.

Hon. Mr. BELCOURT—I desire to have this Bill put through all its stages to-day in order that it may become law before prorogation.

The Bill was read at length at the Table.

The Bill was then read a third time, and passed.

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

THE SENATE.

FRIDAY, March 29, 1912.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and Routine Proceedings.

GRADIENTS ON INTERCOLONIAL RAILWAY.

INQUIRY.

Hon. Mr. POWER rose to

Call attention to the unsatisfactory condition of the Intercolonial railway to the eastward of Moncton, in the matter of gradients and otherwise, and asked if it is the intention of the government to improve this condition and to raise the standard of the said railway at an early date.

He said: I do not propose to detain the House very long. This is a matter as to which there should not be any difference of opinion. I propose to call attention to the unsatisfactory condition of the Intercolonial railway to the eastward of Moncton. This question would not have become so urgent if the country had not built the National Transcontinental railway. The Transcontinental is intended to afford the best possible means of railway communiation between the Pacific and the Atlantic. As I understand it, the road is now approaching completion, and from Prince Rupert on the Pacific to Moncton in N.B., the maximum grade against east bound

traffic will be .4. That is only a little more than a third of one per cent a mile. Inasmuch as the government own the road from Moncton east, and whatever business is done over that road helps to bring up the public revenue, I think the government should do as any enterprising company owning the Intercolonial railway would do. They should make such arrangements as will ensure that the traffic which will come to Moncton will have a chance of going over the Intercolonial railway east of Moncton without meeting with any difficulty. As I have said, the maximum grade on the Transcontinental to Moncton is .4, but when you pass Moncton and go down towards Nova Scotia and into Nova Scotia there are gradients on the Intercolonial railway considerably in excess of one per cent. The result is that an engine which will haul fifty cars on the Transcontinental will not haul more than twenty cars on the Intercolonial railway east of Moncton. That is a very serious condition of things and is calculated to drive business away from the government road. As it is now, that portion of the Intercolonial railway which lies east of St. John is the part of the road that pays; there is a large business done on the road and it pays quite handsomely. The non paying portion of the road is north of that, between Moncton and Quebec. When the Transcontinental railway commences operations, unless the Intercolonial railway east of Moncton is improved the business will not go over it. There is already a road from a place called Chipman, about fifty miles west of Moncton, to St. John, N.B. Another road is contemplated from Grand Falls to St. John. If the government do not raise the standard of their own road east, so that it will be nearly equal to the standard of the Transcontinental, the business will be diverted from the government road and the revenue will suffer. The country east of Moncton, the southeastern part of New Brunswick, the whole of Prince Edward Island and the greater part of Nova Scotia should not be placed at a disadvantage as compared with the other parts of the country through which the Transcontinental railway runs. There is no object in labouring this matter any further. I have seen statements in the newspapers to the effect that the Minister of Railways contemplated doing just the thing the desirability of which I am insisting upon. I do not, I regret to say, read the debates of the other House; but generally I have not seen anything of an official or binding character from the Minister of Railways to make it certain that the government of the day propose to adopt the business-like and fair course, and, therefore, I feel it is my duty to bring the matter to the attention of this House and to ask the hon. leader what the intentions of the government are.

Hon. Mr. LOUGHEED—I have no knowledge upon the subject, except to say this, that up to the present the Minister of Railways has not had an opportunity to make a personal inspection of the Intercolonial Railway. As my hon. friend knows, the present ministry came into office last October, and the session of Parliament would preclude his making anything like an investigation into the operation and administration of that road. I understand it is his intention during recess to make a thorough investigation of the Intercolonial railway, and I have no doubt that, by the next session of parliament, the minister charged with the administration of this particular road will have such a personal knowledge of the situation as to feel confident in recommending the government to adopt such a policy of administration as may possibly appeal to my hon. friend. I hope it will.

THIRD READING.

Bill (180) An Act to amend the Dry Docks Subsidies Act, 1910.—Hon. Mr. Lougheed.

PRINCE EDWARD ISLAND SUBSIDY BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (178) An Act to provide for an additional grant to the province of Prince Edward Island. He said: The object of this Bill is to make a grant, or additional subsidy, of $100,000 per annum to Prince Edward Island. The total subsidy to Prince Edward Island now amounts to

$281,931.88, made up as follows· allowance for government and local purposes under British North America Act, 1907, $100,000. 80 cents per head on a population of 109,078, $87,262; compensation for want of Crown lands, $45,000; 12 months interest at 5 per cent on $775,791.81, which amounts to $38,-789.55, additional subsidy granted in 1887, $20,000; additional subsidy in 1901, $30,000, making a total sum of $321,051.98, less interest upon the sum of $782,402.33, this being a net payment or a net subsidy to that province of $281,931.88. Notwithstanding the increase of subsidy to Prince Edward Island on two occasions, namely in 1887, when that province received an additional $20,000 and in 1901 an increase of $30,000, yet the statistics of the province show a continuous deficit. It might be advisable for me to go back to 1901, when the last sum was granted to that province, and point out the deficits which have occurred from that time down to the present. In 1901 there was a deficit of $51,202.; in 1902, $12,122.11; in 1903, $20,471.94; in 1904, $68,149.63; in 1905, $46,116.97; in 1906, $27,761.54; in 1907, $10,679.85; in 1908, $54,217.38; in 1909, $17,-490.58; in 1910, $28,054.33; in 1911, $41,833.-26. Notwithstanding the subsidies to which I have already alluded, direct taxation is resorted to from which the province realizes the sum of about $67,045.98, made up as follows:

Income tax, $8,586.99; land tax. $41,403.-49; road tax, $17,055.50.

Now it can scarcely be said that the administration of government in Prince Edward Island is in any sense extravagant. I understand civil government costs that province about $16,000 a year. Ministers of the provincial government receive $1,200 a year. Members of the provincial legislature receive for their services the munificent sum of $200 a year; and their departmental staff, it is estimated, will not receive more than 50 per cent of what is paid to corresponding officials under our own government. In the first place, therefore, notwithstanding the merits that the province may possess for favourable consideration of an increased subsidy, it is self-manifest that one of the provinces of the Dominion has not sufficient subsidy, or income, to meet its liabilities and necessarily must receive some assistance from this government. The debenture indebtedness of the province is a sum exceeding one million dollars; and that part has been reached when the credit of the province will not enable it to make any further loan to its advantage. Its credit has been so impaired by reason of its liabilities exceeding its revenue as to demand some consideration from the government as to the future. As I have already pointed out——

Rt. Hon. Sir RICHARD CARTWRIGHT --What did you say was its debt?

Hon. Mr. LOUGHEED—Its debt slightly exceeds a million dollars.

Hon. Mr. MACDONALD (British Columbia)—That would be $40,000 annually for interest, I suppose?

Hon. Mr. LOUGHEED—I do not know what the rate of interest is on that loan.

Hon. Mr. DERBYSHIRE—It ought to be 6 per cent.

Hon. Mr. LOUGHEED—As I have said, the point has reached on two former occasions when is has been necessary for the Dominion government to come to the relief of the province, namely in 1887 and 1901. In addition to the fact that the province has reached that state of financial entanglement when it demands relief from the government, on the general principal that the central government cannot permit one of the provinces of the Dominion to become involved to such an extent as to impair the credit of the entire Dominion, or to so handicap the——

Rt. Hon. Sir RICHARD CARTWRIGHT —Does my hon. friend think that the fact that Prince Edward Island has liabilities would seriously impair the credit of the Dominion?

Hon. Mr. LOUGHEED—While it might be able to meet its present liabilities, it would not be able to continue discharging the functions of a province without some additional assistance being given to it, and I say that no province of this Dominion can make default in its obligations in the

money market of Europe without injuring and impairing the credit of the entire Dominion. Nor would it show a commendable spirit to have any province left in that position.

Hon. Mr. POWER—Does not my hon. friend see that the theory he is laying down is simply to encourage all the provinces to be extravagant and live beyond their means?

Hon. Mr. LOUGHEED—No, I do not think it follows at all. We are dealing with a concrete case, and with a province which occupies an exceptional position. Prince Edward Island occupies a position which has no parallel within the Dominion. Since it entered confederation it has had to face a diminishing population, a diminishing revenue and increasing liabilities. It is a province which is in no way discharging its duties of government in an extravagant manner, but, on the contrary, in a more economical way than any province of the Dominion. It is a province which has been handicapped by a physical and geographical, as well as by commercial difficulties, since it entered confederation. Upon these grounds, entirely apart from the concrete claims which such a province may present to the Dominion government for consideration on grounds that I might term patriotic equity, such a province is entitled to the most generous consideration at the hands of the Dominion. The presentation of their claims is not based upon this equitable ground merely. The province presents to the Dominion now as it has on past occasions, a concrete proposition for relief, based not only upon natural justice but what they regard as legal justice. Let me point out some of these claims so advanced by the province. I need not say to hon. gentlemen that since 1873, when the province of Prince Edward Island entered confederation, the terms of union of the other provinces of the Dominion have undergone very considerable change, thus changing, to a certain extent, the view point which the province may advance for further consideration of their claims upon the government. In the first place, they urge a claim of damage by reason of the non fulfilment of the contract of the Dominion government to furnish a proper means of communication with the mainland. I need not point out to hon. gentlemen that this is an old standing claim of the province of Prince Edward Island and has been dealt with on former occasions. In 1901 the matter was taken into consideration, and an increased subsidy, based upon this particular claim was granted. It is logical to suppose that if it was a claim in 1901, entitling the province to consideration, which consideration I think was fixed at something like $30,000 per annum as an additional subsidy, it is a naturally continuing claim. That is to say, as it was one of the terms of the union at the time of confederation, if in 1901 it was shown that damages had been sustained to the extent reported by the subsidy as then increased, it would be natural to suppose that it would be a continuing claim and that, as time went on the damage would continue and might probably be intensified. I am not going to elaborate that as a factor, but that is urged very strongly by the province. There is another claim which they advance, and which I think they can advance with very much more force than the first claim to which I have adverted, namely, compensation for their public lands.

Rt. Hon. Sir RICHARD CARTWRIGHT—Compensation for public lands?

Hon. Mr. LOUGHEED—Compensation for public lands in this way: When Prince Edward Island entered the confederation she did not possess public lands, but in lieu of public lands the Dominion government made a grant of $45,000 per annum, in compensation for want of Crown lands. That would represent about 50 cents per head of the population. I need not remind hon. gentlemen that in 1905 one of the terms of the admission in confederation of the two new provinces of the Northwest Territories, Saskatchewan and Alberta, was compensation for public lands represented by about $1.50 per head. If that was a reasonable allowance to these provinces at that time—and it has been repeated, also during the present session of parliament in the case of the Manitoba subsidies con-

tained in the boundaries Bill—it is reasonable to suppose that the same grounds would exist for granting to Prince Edward Island a similar sum. We cannot lose sight of the fact that compensation of that nature is not based so much upon what the province has been deprived of, as the factor of allowing to the province a sufficiently adequate sum for the carrying on of the various functions of government. If, therefore, Prince Edward Island only received at the time of confederation 50 cents per head in lieu of Crown lands, and we have established the precedent in these three western provinces of recognizing that they were entitled to $1.50 per head in lieu of Crown lands, or in lieu of their lands, it is not unreasonable to say that the province of Prince Edward Island, upon this item alone, would be justified in coming to the Dominion government and saying: 'Inasmuch as you have in recent years established the precedent of allowing to other provinces $1.50 per head in lieu of Crown lands, the same should be done with reference to our province.'

Hon. Mr. THOMPSON—Allow me to ask one question, not that I desire to question the argument: in the case of these two provinces the land was there and the Dominion government retained the lands and merely exchanged values. In the case of Prince Edward Island there were no lands.

Hon. Mr. LOUGHEED—The federal government never recognized that these provinces were entitled to their lands.

Hon. Mr. THOMPSON—The lands were there.

Hon. Mr. LOUGHEED—Unquestionably, but if the provinces did not own their lands and were not equitably entitled to them, they would therefore have no legal or equitable right to say to the central government you must make compensation in lieu of our lands. If that be the case, then it is not unreasonable that Prince Edward Island, having a population of slightly under one hundred thousand, should say, on that ground alone, we are entitled to this increased subsidy of $100,000 per annum, and they strongly urge this as a consideration upon the federal government for the increase of their subsidy. Entirely apart from the question as to the province not owning its lands, which I might say is very largely accidental, should we, in making terms with one province, place that province in such an advantageous position as to result to the disadvantage of another province that does not own its lands? Let me point out some of the revenues enjoyed by the other provinces of the Dominion owning their natural resources. New Brunswick received in the year 1910 from what is termed a territorial revenue, $494,491.64; Nova Scotia in the same year received from its mines $629,000, and from Crown lands $33,600. Quebec in the same year received, in respect of its lands and forests, $1,150,000, from its mines, fisheries and game $182,132, a total of $1,332,879. Ontario in the same year received from timber lands and licenses $2,325,000 and $32,122 from lands, forests and mines, a total of $3,240,722, whereas Prince Edward Island only receives the small sum of 50 cents per head in lieu of its lands, in all $45,000. There is another factor which may be said to entitle Prince Edward Island to equitable consideration, and that is its debt allowance. When the province of Prince Edward Island came into confederation there was an allowance for debt representing $4,700,000 upon which, according to the basis of adjustment with the other provinces, she would be entitled to 5 per cent. It seems to have been one of the terms of union, or arranged at the union, that Prince Edward Island should build the Prince Edward Island railway.

Rt. Hon. Sir RICHARD CARTWRIGHT—Why, it was built when they came into the union, and the reason they came into the union was because they could not pay for it.

Hon. Mr. LOUGHEED—Well, they were charged up with that sum, which reduced the debt allowance of Prince Edward Island to $775,000 instead of $4,700,000. It seems to me that Prince Edward Island at that time might very well have said that the debt allowance should remain unimpaired, intact, without the Prince Edward Island road being charged up against it; because we have to take into consideration that such was not done with the other prov-

inces. For, instance, since Prince Edward Island entered confederation the policy of this government has been to subsidize the building of railways throughout the Dominion. True, they were not strictly speaking provincial enterprises, but they were as largely provincial enterprises as the Prince Edward Island road. They contributed to the building up of the province quite as much as that road did to the building up of Prince Edward Island; and there is the further feature to be considered that that road has been an integral part of the Intercolonial Railway system and has been one of its most valuable feeders.

Rt. Hon. Sir RICHARD CARTWRIGHT —An integral part of what?

Hon. Mr. LOUGHEED—Of the Intercolonial railway. True it has not been paying; there has been a deficit; but that might apply to the whole Intercolonial railway, yet the Intercolonial railway has profited by the carrying trade which it has enjoyed from the Prince Edward Island road. Now, if this road had not been charged up to Prince Edward Island, that province, on the debt allowance alone, would have been enjoying an annual subsidy of over $200,000.

Rt. Hon. Sir RICHARD CARTWRIGHT —And we would have paid for the road.

Hon. Mr. LOUGHEED—Well, it would be very true we would have paid for the road, but we have done the same thing with the Intercolonial railway. This is part of the Intercolonial railway, practically. We have paid for the Intercolonial railway, and we have not charged the Intercolonial railway up against the debt allowance of Nova Scotia or New Brunswick; and why should the building of the Prince Edward Island road be charged up against Prince Edward Island while the other two provinces have been exempt? That is another factor to be taken into consideration in dealing with this very important question. Then there is another factor which may be urged with considerable force, and that is the expenditure which the government of Canada might be called to enter upon to fulfil the terms of union, namely the establishment of proper communication between Prince Edward Island and the mainland. I need not point out to hon. gentlemen the very unsatisfactory character of the partial fulfilment of this very important term of union—the unfulfilment of which Prince Edward Island claims, and possibly very rightly, has largely contributed to the diminishing population and the diminishing volume of trade and commerce in that Island.

Rt. Hon. Sir RICHARD CARTWRIGHT —What sort of communication had they before confederation?

Hon. Mr. LOUGHEED—Ah, yes, that was the reason, I fancy, that great importance was placed upon this being one of the terms of union—that this government should establish, at its expense, proper means of communication between that island and the mainland. I might point out further, as has been pointed out by the island government in its memorial, that the terms allowed to the western provinces upon entering the union were not only so much more advantageous to them than corresponding terms granted to Prince Edward Island, particularly in the allowance in lieu of lands, but it has been pointed out that Manitoba, Saskatchewan, and Alberta enjoy, also, school lands and the revenues therefrom, which represents practically one-eighteenth of the whole public domain. Those lands are sold from time to time and the proceeds carried to the credit, and distributed for the maintenance of schools and education in those provinces. This of course would represent a very substantial sum, and there is nothing corresponding to it in the terms enjoyed by Prince Edward Island. Under all these circumstances, the government feel, in the first place, that there is considerable force in the concrete claim which has been made by Prince Edward Island for further consideration as to an increase of subsidy, and, in the second place, that owing to the continuous deficits which have been distributed over a long number of years, and the utter inability of that province to meet its obligations, and its having reached practically the end of its borrowing credit, it is in the interests of the entire Dominion

that that increased subsidy should be granted to the province so as to permit of its meeting its obligations in an honourable way and carrying on its functions of government as designed by the British North America Act. In view of this presentation of the case, and of these facts which I have advanced, I move the second reading of this Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend has presented, on this occasion, the spectacle of a good man struggling with tremendous difficulties, and it is very much to his credit in one sense that he has been able for fifty minutes or thereabouts to argue in favour of, perhaps, the most unreasonable proposition that has ever been submitted to a parliament of Canada. My hon. friend was good enough to supply me, in part, with the statement which I have asked for, but on examination I find that statement is of the most meagre description, and hardly embraces one half of the items to which I desire to call his attention. Moreover, my hon. friend has entirely omitted one point of very considerable moment, on which I also asked for information, and that is a statement of how the existing subsidy is expended.

Hon. Mr. LOUGHEED—My hon. friend will possibly give me the credit of saying that I did the best I could for him. It was six o'clock last night when he asked for the information.

Rt. Hon. Sir RICHARD CARTWRIGHT —I wholly and entirely acquit my hon. friend of any laxness in the matter, but I do not acquit the government of which he is a representative of having gone into this question with about as little consideration, and as little regard to the enormous importance of the questions involved, as I have ever known any government—and I have known some very bad governments—to bestow on any question at all approaching to it in importance. If my hon. friend's colleagues, none of whom I believe, with the exception of the Minister of Trade and Commerce, have ever sat in a Dominion cabinet, had given five minutes consideration to this question they would have known two things. They would have known that this proposition, to a dead certainty, would bring up the whole question of a readjustment of the subsidies from one end of the Dominion to the other, from the Atlantic to the Pacific. They would have known that this is one of the most complicated and difficult questions that governments can possibly handle, and they would not have presented to this House, as they have done, at a time when we are expected to adjourn within two or three days, a measure which requires more than almost any other to be fully and carefully considered. It is not the mere $100,000 involved, although $100,000 a year is about equivalent to a sum of $3,000,000 added to our debt, but when you begin to deal with this question without communication with the other provinces concerned in the arrangement for the allowances made to them, you open the door to all manner of demands which cannot possibly be ignored, and which will require very serious consideration at our hands. We ought to have all the information I asked for, and I think my hon. friend will agree with me that the best thing we can do now is to have a preliminary debate on the matter, and then wait until the hon. gentleman can obtain such information as I asked for. I have not the slightest desire to avoid giving due consideration to the claims of any province, and to this little province in particular. Prince Edward is a beautiful little island, and very fertile, and I believe if the proper policy were adopted between this country and the United States that Prince Edward Island would regain a great amount of the prosperity which it once enjoyed, but which it has not enjoyed, no doubt, for a considerable number of years. I have here a statement to which I will invite the hon. gentlemen's most serious attention and the attention of the House. Perhaps I had better put it in the shape of a motion and we can consider it later on. At any rate, I will give him roughly the details. I have here the estimates, supplementary and main, for the year 1912-13. Taking everything into account as nearly as I can make it out, we are going to expend in Prince Edward Island, including

the subsidy, in the year 1912-13, the sum of, $2,000,000 on a population of 93,000 without charging them one farthing for anything except for sums which may be considered to be expended for the special advantage and interest of Prince Edward Island. I will give the hon. gentleman in detail what these sums are. In exchange for that we receive by the same public accounts, an amount all told in gross of $137,000, less expenses of collection which would leave about $114,000 net. I have no doubt they would be entitled to add to that a considerable sum for collections on articles which were imported for their use in other parts of the Dominion, but I very much doubt whether the sum total of these would more than equal the sum paid out in subsidy. My hon. friend must excuse me if by any chance I have over-estimated or exaggerated any of these statements. I think they ought to have been in the hands of the government and ought to have been submitted to the other House, and should have been submitted to the Senate before we are called upon to pass upon this question. In the first place, we pay to Prince Edward Island for subsidy $281,000. On that there is no dispute. I find that for public works, including dredging, and making a proportional allowance for that, according to the statement here submitted in the two estimates, we will expend in Prince Edward Island about $250,000. I think marine and fisheries, which of course include lighthouses, fishery protection, fishery hatcheries and all the rest of it, and maintenance of the steamers for preserving winter communication, cost us, as near as I can estimate—and this is a thing which we ought to have had before us, and ought to have known—about $300,000. I find that there is an annual deficit on the railway estimated at about $100,000, although it is not through yet this year. I find that there is a deficit on the post office estimated to amount to about $30,000 expenses over and above receipts. I find that for judiciary, penitentiary, customs, and indemnity to members, and expenditure of about $87,000, more or less, is incurred. For steamships specially for the island, not charging them with any incidental ones, about $31,000. The cost of their railroad will amount, by the close of 1913, to something almost equal to $10,000,000, which at the present current rate at which we are borrowing would represent an annual charge on this Dominion of about $375,000. We have the small trifle of some $20,000 for benefactions in the shape of good roads, and bridges, and agriculture. We have, likewise, a nice little item on capital account, going I presume into the railway, of $486,000 making in all something like $1,950,000 which Prince Edward Island costs us per annum. Against that there is probably a gross receipt of something like $300,000 for customs and excise, allowing for imports through other provinces and a net receipt of perhaps $280,000 after deducting the cost of collecting the customs and excise revenue. I point out to my hon. friend that, under those circumstances, the government ought to be very careful before they come down and propose a further grant of $100,000 a year to the island. Prince Edward Island does not want to tax itself. I believe if my hon. friend will get the details of the $281,000 which he has given, and their own $63,000, which I think he said they raised by municipal taxation.

Hon. Mr. LOUGHEED—About $67,000.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think you will find that a very large part, if not the whole of it goes for the maintenance of schools which the other provinces, particularly in the case of Ontario, pay for out of their own pockets. But he will find—and this is the point to which I want to call his attention and the attention of the House—if he sits down and computes, that the total amount which they choose to tax themselves is something like $1 per head at the outside. I do not believe that it amounts to that. In Ontario we tax ourselves, city and townships, indiscriminately, about $10 a head for such purposes. In Manitoba I am told they tax themselves about $13 or $14, and British Columbia something like $12 a head.

Hon. Mr. POWER—Dollars are more abundant in these regions.

Rt. Hon. Sir RICHARD CARTWRIGHT—Quite so, but at the same time recollect it is out of these people's pockets this

money is to come. Here you have a province of 93,000 people. If you give them $100,000 additional, you give them $381,000 being at the rate of $4 a head for every man, woman and child in Prince Edward Island. My hon. friend knows—and if he does not know he and his colleagues will soon know if they bestowed upon it one minute's consideration—that if you are going to give Prince Edward Island $4 a head, while it does not contribute much more than $1 or $2 a head to the treasury, and in addition is a bill of expense as I have shown—if you are going to do that, most undoubtedly you will have, first of all, Nova Scotia, New Brunswick, British Columbia, Alberta, Saskatchewan and Manitoba applying to you, and rightly applying for proportional grants. Does my hon. friend think that if something like $380,000 is paid to 993,000 people in Prince Edward Island that Nova Scotia will be content with $640,000? I do not know how much it is.

Hon. Mr. POWER—It is something over $600,000. I do not know the exact amount.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does my hon. friend suppose that 500,000 people in Nova Scotia will sit down peaceably and contentedly with a subsidy of about $1.25 a head, or that New Brunswick, where very much the same state of things prevails, will be content, or British Columbia, where they are now contributing at the rate of $20 or $21 per head to the federal treasury—that they will be content with the one or two dollars per head that they receive? And when that is done, most undoubtedly, after those have been granted, and after Alberta and Saskatchewan have put in their little bill, you will find that you will have to deal with Quebec, and ultimately Ontario. You are not in this matter merely proposing to add $100,000 to the annual charge, but you are laying the foundation—and if that be the policy we ought to know it—for a complete revision of the whole question of subsidies, which, if carried out on the basis you are laying down here, will involve a charge of may be $7,000,000 or $8,000,000 a year for ever on the public treasury, an amount equal to two or three hundred million dollars, as the case may be, added to our national debt. Under circumstances like those, every reason and every consideration, I was going to say of decency, but every consideration of common sense ought to have taught the government that this matter, if dealt with at all, should have been dealt with after a conference with the other provinces. There is no doubt about it—no more than there is that I stand here—that claims will be put in by all the provinces. I do not propose to go over in detail the innumerable—I will not call them sophistries, but the innumerable subtleties, my hon. friend has used with reference to the right of Prince Edward Island to be paid for lands which it never possessed, and to have better communication with the mainland—I suppose he refers to the idea of constructing a tunnel at a trifling cost of about $50,000,000 in order to redeem the pledge of better winter communication.

Well, I will give him a wrinkle on that which may perhaps be of some use to him. We can now go over the sea instead of under it. I would not object to vote a sufficient amount for aeroplanes to keep up communication between the mainland and the island; and I would be very glad indeed if the respective governments of the island and of the Dominion were the first parties to make the adventure. These considerations which he has advanced will not bear scrutiny for one moment. I looked over the paper he was kind enough to send me, and I saw there, almost on the first page, a brief statement, of what the island wanted and what the island meant. What the island wants, hon. gentlemen, is simply this—that it should be understood that it is never to be called upon to pay any taxes at all. That is what it wants, and that is what it alleges. It declares, almost in so many words, that part of the bargain in going into confederation was that it should be supplied with all the things that it required without having recourse to direct taxation. My hon. friend has the paper before him, and I think he will admit that that is a fair summary of the argument in the first page or two.

Hon. Mr. LOUGHEED—Yes, it bears that interpretation.

Rt. Hon. Sir RICHARD CARTWRIGHT —That is about their position.

Hon. Mr. LOUGHEED—Yes, that has been urged. They state that at confederation it was anticipated that they would not have to resort to direct taxation.

Rt. Hon. Sir RICHARD CARTWRIGHT —I was at confederation. There is no doubt that some of the minor provinces would have liked to introduce such a clause, but we were most decidely opposed to anything of the kind. Subsidies were granted in lieu of any such provision, and the subsidies were granted with very great reluctance, because the men who founded confederation saw just exactly what has since occurred almost every year—that once you allow federal and local to be mixed up together, you open the door to an innumerable number of claims and demands which will never cease. We have had ample illustration of that, and there is not the slightest doubt we are going to have more illustrations of it. Before we proceed further in this matter, I think we should obtain a statement from my hon. friend, or from the Prince Edward Island people. showing how they expend this money. Unless I am greatly mistaken, it will prove that the money which is given them from the Dominion is used by them for the identical purposes for which Ontario and Manitoba and British Columbia, and I believe Quebec, to some extent, and New Brunswick—I am not sure about Nova Scotia—are taxing themselves to-day, and that their demand is virtually that they should pay no taxes and that they should receive enormous sums from the Dominion. Why, hon. gentlemen, within the last ten years, if my memory serves me, we have expended on capital account in the island for the improvement and extension of their road something like six or seven millions of dollars. The public accounts will show what it is; it is there or thereabouts; and every year, and almost every hour, a very much larger sum is being expended out of the Dominion treasury than I would like to see the island asked to pay, or than I think the island can possibly pay in. Now, if the position is such that the whole question should be opened up and reconsidered, so be it; let the government take the responsibility; but let them come out into the open and bring the whole question before the several provinces. It is only a few years since representatives of the various provinces met together and decided on what they were then pleased to assure us was the finally final adjustment of the claims of the various provinces against the Dominion, British Columbia, I believe, alone dissenting. Here, without almost a word of preparation, without a word of notice, the government of the day bring forward a proposition which will most undoubtedly reopen the whole question from top to bottom, which may involve an addition to our national debt, or annual charges equal to an addition to our national debt, in the shape of a permanent charge on our revenue, or something like seven or eight millions a year. The government ask us to go into detail and examine and pass upon that when we hope to prorogue the House within a matter of forty eight hours. When the House met I specially called my hon. friend's attention to the fact that the Senate ought to have, as he had often contended, ample time to consider these things; and most assuredly it is not giving us ample time to examine in detail these matters to which I have alluded or those matters to which he has alluded, some of which, no doubt, I would be willing to give fair consideration to as far as they went. But the broad fact remains that, if you grant $400,000 a year to 93,000 people, or thereabouts, you need not hug yourself with the delusion that the remaining provinces of this Dominion are going to abstain from putting their claims forward. I have not the slighest doubt that they will do it. If this Bill passes, not only will they put forward claims but they will get them; perhaps not exactly in due rotation, but they will get them from time to time, and the end will be that we will find ourselves saddled with an enormous additional expenditure, all on the score of a compassionate concession to one particular province which has got into difficulties. I cannot agree with my hon. friend's position that, if a province gets into difficulties, the other provinces of the Dominion should combine to help it. I think that is a totally false and fal-

lacious view. The United States have never gone to the help of any one state that happened to be in default. Any such doctrine will undoubtedly lead to very gross extravagance and carelessness on the part of local administration. I do not want to hurt the feelings of my friends from Prince Edward Island, but it does appear to me that, although my hon. friend may have said that they pay their officials a very small amount, yet it appears to me the whole thing is run in an absurd fashion. Here we have 93,000 people, about as many as we have in the city of Ottawa, and they have six judges, three chief justices of the Superior Court, and three judges of minor descriptions. As far as my recollection goes, Prince Edward Island is a remarkably orderly, law abiding and contented people.

Hon. GENTLEMEN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—About as likely to require the services of six judges as to require the services of six hundred janissaries.

Hon. Mr. DERBYSHIRE—Or military officers.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not believe a dozen constables are required to keep the peace. I am very sure that in the matter of judges, and in other ways, they are expending enormous sums for very little purpose. I do not know whether I will hurt my friend's sensibilities by suggesting that it is a thousand pities they are not incorporated with Nova Scotia or New Brunswick.

Hon. Mr. DOMVILLE—Not New Brunswick; we do not want them.

Hon. Mr. DERBYSHIRE—Put them in with Ontario

Rt. Hon. Sir RICHARD CARTWRIGHT—Ontario cannot get hold of them very conveniently. I am told that, as a summer resort, Prince Edward Island is almost beyond compare; I hear those who go down there speak in raptures of the surroundings and the climate during the summer months. The main point remains, that this is a thing which, if done at all, should be done deliberately after due conference with the other parties who are interested, that is to say, the other provinces of this Dominion. This matter should not be brought forward within two or three days of the end of the session. It is only fair and just that we should know exactly what we are doing and where we are going to come out in this matter. I am obliged to make this statement, as my hon. friend and his colleagues do not appear to have taken the trouble to look it up. I will put the statement on record so that it may be examined. I do not want to take a snap verdict, and I will ask my hon. friend to bring forward the details that I have spoken of in respect to the way in which the money is expended, so that we may see exactly for what purpose this $100,000 is wanted. When that is done, we will be in a position to consider this whole matter. I ask my hon. friend not to press the second reading of this Bill. Is it understood we may carry on this discussion as if we were in committee?

The SPEAKER—That was agreed to yesterday.

Hon. Mr. LOUGHEED—There is no objection to it.

Rt. Hon. Sir RICHARD CARTWRIGHT—In that case I shall reserve my further remarks till some later period. I call the serious attention of the House to the ultimate consequences that are involved in this. Speaking with long experience I tell them that you cannot by any possibility open up this question of grants, even to the smallest of our provinces, without invariably bringing down upon you a number of demands from other provinces. I do not say they would be unjust. If one is to be treated in this way, the others have, morally speaking, quite as good a claim, in spite of the numerous subtleties my hon. friend has interjected into this discussion as to the peculiar claims of Prince Edward Island. All I can say is that Prince Edward Island took excellent good care of itself during the negotiations which preceded its coming in, and they got a very great deal better terms than they would have been likely to get if it had not been

for certain circumstances, which I do not want to allude to, but more particularly the fact that government of the day needed the six votes from Prince Edward Island, which I am happy to say they did not succeed in getting.

Hon. Mr. YEO—The claims of Prince Edward Island on this amount of increased subsidy have been so clearly set forth by the leader of the government in this House that it leaves very little for me to say. I am going to make some remarks on the speech delivered by the right hon. the leader of the opposition. That hon. gentleman is very fair in his remarks generally, but I am afraid to-day he has not been so. He speaks of this grant to Prince Edward Island as if it were something they were not entitled to, and as if we were coming here begging for a grant. We have just as good claims as can be made, and in recognizing these claims the government is only doing what is just and proper. The right hon. gentleman has said that it is opening the door for other provinces to come here and make like demands. If they have equally good claims, let them come and if they are as good as ours, I hope they will be recognized. We from Prince Edward Island think we have special claims which have been overlooked for many years, and we are now only just beginning to receive, in part, what we have been entitled to all along. The right hon. gentleman has spoken of the charges which should be made against the province. Some of these things should not be charged against Prince Edward Island exclusively. He spoke of dredging; that of course improved the harbours of Prince Edward Island, but it was not done entirely for that province; the benefit is to the other provinces that send their vessels to Prince Edward Island to carry our commerce. Then, again, he spoke of lighthouses. That is not done for the protection of Prince Edward Island shipping; it is for the whole Dominion and the world at large, in order that the mariners may sail their ships on our waters in safety. There is only one thing in which I agree with the right hon. gentleman. He spoke of the benefits which would accrue to Prince Edward Island if we had reciprocity with the United States. In that I think he was correct. It certainly would have been a great boon to Prince Edward Island. We have no manufactures there to protect. We are an agricultural and fishing people, and an open market with the United States would be of very great advantage to us. I do not know whether the decrease in our population has been caused by the fact that we entered confederation, but since that time our population has continued to decrease. Nearly up to the time we went into confederation, our population increased each year, not largely, but there was a good increase. Since that time the decrease has been quite marked. Everything in connection with the public business is conducted most economically in Prince Edward Island. If I were to tell you the salaries that are paid to officials there you would be astonished. There is no lavish expenditure in any way. It is quite the reverse, and the expenditure is quite parsimonious. We have no public lands there from which to receive a revenue. We have no minerals, or anything to fall back on but direct taxation. It is quite true that our taxation is not heavy, yet, for a farming community, it is about as much as we can stand. The right hon. gentleman referred to the taxation of the Northwest; we in Prince Edward Island think we have borne our share of the large expenditures which have been made in the west and Ontario, and in other parts of the Dominion. We have not received any benefits from these expenditures. This in itself ought to give us a claim for consideration. Our isolated position prevents us from benefiting by these expenditures. I might mention one of our claims, one which has always been a sore spot with us, and that is that we did not get what we expected at confederation with regard to improved communication. It is true that improvements have been made from year to year, yet we have nothing like continuous communication. During the past winter we had a great many interruptions, and we had to return to the old way of carrying our mails and passengers by ice-boat, hauled by men. That has been the case almost every winter. This promise of better communica-

tion is one very strong reason why we were induced to go into confederation. The present government is taking a step in the right direction by giving us a car ferry, which they hope to have in operation shortly. It may look like a large expenditure; still the Dominion government is in honour bound to carry out the terms of confederation. The hon. the leader of the government in this House did not mention another claim which we have always considered we had, and that is a share in the fishery award which was brought about very soon after Prince Edward Island joined the confederation. We have always contended that we were entitled to a share of that award. There are many other just claims which we have that demand consideration at the hands of the government. Customs receipts and internal revenue have been mentioned. Our people deal largely with Ontario and Quebec, and in return they take very little from us. We may send them a few barrels of oysters, or some other trifling thing, but the market for our products is elsewhere, and as we buy largely from Ontario and Quebec, we do not show very large custom returns. Whether large or small, however, the terms of confederation should be carried out by this government. We are losing our population. In the ten years between the census of 1901 and the census of 1911 we lost nearly 10,000 of our population. Our people have gone largely to the west, and wherever they go they are of benefit to the community in which they reside.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. YEO—The Minister of Finance, speaking to this Bill, said that in some respects the claims were, perhaps, not legal, but they were equitable. I think our claims are legal, and that we are entitled to every consideration. We may be poor, but we are proud.

Hon. GENTLEMEN—Hear, hear.

Hon. Mr. YEO—We do not come here asking for anything that we do not feel we are justly entitled to. I feel strongly on this question. I believe we are rightfully and honestly entitled to this increased subsidy. As the right hon. gentleman has just said that this debate will not be closed at the present time, I shall not say anything further, except that I am heartily in accord with the Bill that is now before the House.

Hon. Mr. ELLIS—I intended to cover some of the things that have been said by the hon. gentleman who has just taken his seat. I do not think it is any argument against a Bill of this kind to quote federal expenditures in Prince Edward Island, or federal expenses in the maritime provinces. These expenditures are for federal purposes, for the protection and advancement of commerce and for the general welfare of the Dominion. It is not fair or proper to be continually bringing this matter up as against the maritime provinces. These are not local affairs, and should not be charged up to these provinces. I have a personal objection to a great many references which are made in this Chamber to the maritime provinces in this regard. The hon. gentleman has referred to the fact that we receive so much per head from the revenue and only contribute a certain sum. That is not a fair argument. We pay according to the rate of taxation that is levied. If we do not import our goods, but buy them from the other provinces, and if our conditions are not as favourable as they are in other provinces, that should not be cast up against us, as if we were poor relations coming in here and seeking to get alms from the parliament of Canada. I think that kind of argument is highly objectionable. We should consider this Dominion as one country, and although it is cut up into provinces, it should be regarded as one whole and each section of the Dominion should be treated alike. If I can carry my memory back to the time when confederation was first established, we were not very anxious for it. The province of Nova Scotia up to this day has never, as a province, given its assent to the union. It could not help but come in when its legislature carried it without a vote of the people. New Brunswick rejected it on the first election; a year afterwards, on account of the influence of the British government and various other influences, we entered

into confederation. I was an anti-confederationist; I firmly believed the time had not arrived for confederation and the plan was not a good one. Ever since I have been a member of this Dominion, I have done my best, according to my light—sometimes it may have been very dim—to promote the interests of the country, and I think that is the feeling of our people generally. In regard to the Prince Edward Island claim, I would like to call attention for a few moments to the last published statement of their accounts, that is, for the year 1909. Those for 1910 may be in the library, but I could not find them. The Dominion subsidy in that year was $233,181. Well, they spent half of that money on education alone.

Rt. Hon. Sir RICHARD CARTWRIGHT—Exactly, for which we pay.

Hon. Mr. ELLIS—I do not care who pays for it. The money is the money of the people of that island, coming to them by an arrangement made with the government, and it is not right to say that we paid it. The hon. gentleman did not pay any of it, nor did anybody else pay any of it. Prince Edward Island got the money as part of their bargain, or arrangement, and they expended $129,000 of it in education, that is very nearly half of the subsidy for that year. Then, running down the columns of the account you will find no extravagance. Their hospital for the insane cost them $35,000. They paid in interest $34,000, which is interest on the debt incurred in the interest of the island itself and could not be overlooked. They expended on roads $28,000, a very small amount for that part of the country. The total revenue in 1909 was $375,000, including the subsidy. Well, that was not quite half of the revenue we get in New Brunswick from our Crown lands alone, and we do not get too much. So I think that Prince Edward Island has a fair case, not so much, perhaps, for any particular thing, but because the people are not able to live on the island. That is about the truth of it, and that is the condition they have to meet. They are going away at the rate of one thousand every year. It is, no doubt, a beautiful island and a good island, yet the population fell off in one decade from 100,000 to 90,000. Now, who would like to live in a town, or place, where the population is gradually diminishing, so that when you look around to-day for your friend of yesterday you find that he has gone to the United States. Hence, there is dissatisfaction amongst the people of Prince Edward Island which ought to be regarded, and to which some attention should be paid. It is no great stroke of statesmanship to deal with a sudden emergency when it arises, and to deal well, perhaps; but while the time is easy that should be done, and it should be done generously and liberally. The number of people who go from Prince Edward to the United States is very large. The great bulk of those who leave the country go there though many go to the Northwest. My hon. friend says they figure well; but they have been figuring well in the United States. I remember, not long ago, when the mayor of Boston was a Prince Edward Islander, and so they fill dignified and honourable positions, but the country in which they were born and brought up does not, in some way, fill the bill, and the managers of the public affairs of this country ought to give as much attention at least to subjects of that kind as they do to the ordinary and general subjects which press upon them from day to day. You will remember that in the last twelve years in which this decrease of population has gone on, we have had a system of taxation which, although liberal at its birth, does not seem to have grown up as liberally as it should. When the appeal was made to the people of the country recently to ratify the reciprocity agreement, the result was a disappointment to us. The effect of that would be to decrease the population of Prince Edward Island, because there is not a sufficient amount of wealth in the country, and you cannot produce it unless there is some new condition created by the genius of the government. I do not care which government it is, or how it is done, but something of that kind should be tried. I quite agree with the right hon. gentleman that there should be a consideration of the whole situation, and I apprehend the danger to which he refers regarding the other provinces should a plan be adopted which favours one province at the expense of the

others. On the other hand, I hold that at this moment the needs of Prince Edward Island demand a speedy remedy, and I am prepared to support the Bill.

Hon. Mr. PROWSE—I went very carefully over Mr. White's speech, delivered on the 26th, and the arguments he made in defence of the Bill, and also the claim of the little province I have the honour to represent, was put very forcibly. I listened this morning to the hon. leader of the Senate, and he has put the matter very plainly. I do not see why any member of this House can object to the Bill. I wish to commend the government for the liberal way in which they have acted towards the province. If the Dominion government made a mistake in taking Prince Edward Island into confederation, I am not exactly sure but we have had the worst of the bargain. I know the province has not derived benefit in any particular. We have lost population in the last twenty years at the rate of one thousand per year, whereas I think possibly if we had remained a separate province we could have retained our population and looked after our own affairs. The leader of the opposition has made the statement that the Dominion government does not receive as much as the island gets back. Now, I can account for that in this way; millions of dollars' worth of goods is bought in Montreal, Halifax, St. John, Toronto and Ottawa, where the revenue is collected, and Prince Edward Island does not get credit for it. That is one part of the matter. One other point I am going to ask the right hon. leader of the opposition to take back. He made the remark that the credit of Prince Edward Island had fallen on account of the large debt of the island. I wish to tell the leader that that is not so; that the credit of Prince Edward Island to-day stands higher than that of any other province in the Dominion of Canada.

Hon. Mr. DERBYSHIRE—Good ; glad of it.

Hon. Mr. PROWSE—And I am going to ask the right hon. leader of the opposition to kindly take those words back Possibly the government from time to time, since we entered confederation, have done the best they could to carry out the terms of confederation. They signed a solemn ompact to give us steam communication with the mainland continuously in winter as in summer. That, they have failed to do. Possibly it is not the fault of the government. They first supplied us with a steamer, the 'Northern Light,' which did good work in her day, but failed to carry out the terms of confederation. When the government found she was not strong enough, they supplied the 'Stanley,' and she also proved to be a failure as far as the carrying out of the terms of confederation was concerned, but she did good work also. The Laurier government came into power, more claims were made and they supplied us with the 'Minto,' which was a good boat and also an improvement on the other boats. Finding that she could not fulfil the terms of confederation, they supplied us with the 'Earl Grey,' which is still better. The government have come to the conclusion that even that does not carry out the terms of confederation and they are supplying us with a car ferry, which is properly justified, and I think they have shown that they are in earnest and want to do what is right by the little island.

Hon. Mr. BOYER—Will that run in winter ?

Hon. Mr. PROWSE—Well, we will be satisfied if she runs eight months in the year, and I believe she will. I believe the island will have no kick coming if she runs; and I think she may run nine months in the year with proper power. I am going to stand by the government in its action in this matter, and I think Prince Edward Island has been very liberally treated with the $100,000 bonus; I am only sorry that they did not see their way clear to make it $200,000.

Hon. Mr. DANDURAND—My only complaint as against this Bill is the fact that, in the form in which it is presented, it opens the door to considerable difficulties in the future. The Prince Edward Island government has presented a memorandum containing a certain number of claims

against the federal government and asking for some kind of compensation in settlement of those claims. My opinion is that if the government wanted to pay an increased subsidy to the province of Prince Edward Island it should have compensated those claims in a formal way by giving that increased subsidy, but stating that it was in settlement of a certain number of claims, or of all the claims. What I complain of in the presentation of this Bill is that there is no preamble stating under what head and for what reason this money is paid. Now, in what situation will the government of the Dominion be for the future in facing any similar demands from any other province? Four or five years ago we passed resolutions in these two branches of parliament asking the imperial parliament for a revision and increase of the subsidies to the provinces, based on resolutions arrived at by a conference of all the provinces with the federal government. After the members of that conference, representing the provinces, had agreed to the amount they were respectively entitled to this parliament solemnly asked the imperial parliament to alter our constitution and declare that this was a final settlement for all time to come. On the representations of the delegates from British Columbia to the House of Lords, an amendment was made to the Bill which struck out his declaration of finality. The Bill was returned to the House of Commons, which declared that the will of the Dominion of Canada must be carried out in toto, and that amendment was rejected and the Act was passed. Now this legislation which was embodied in the Imperial Act, and which practically forms part of our constitution, because it was an amendment to the constitution, is set at naught by this present Bill in the form in which it is introduced. That is a considerable error of which we will feel the effect for years to come, and which could have been avoided if the Bill had been brought in with a preamble stating that an increase of subsidy was given in payment of claims made, and under the form of an annuity against the federal government by Prince Edward Island. Now we are back to where we were before this Imperial Act was passed, and we will have, during our lifetime and for generations to come, clamours from the different provinces for increased subsidies. A gross blunder has been committed in thus reopening the whole question of provincial subsidies and quite uselessly so.

Hon. Mr. BOSTOCK—I have listened with considerable interest to this debate, and it seems to me that the action the government have taken in regard to this matter and the presentation of the case that was made this morning by the leader of the government in this House is one that is to be strongly recommended to Mr. McBride, the Premier of British Columbia. He has for a long time been struggling for better terms for British Columbia, and I think no stronger argument could be presented on his side of the case than the remarks of the hon. leader of the House this morning in presenting the case for Prince Edward Island. The right hon. leader of the opposition has shown the position, as far as the constitutional question is concerned, and the last speaker pointed out the evils that are likely to come upon this country by adopting the policy that is laid down in this Bill. I think the speeches made to-day will be an encouragement to British Columbia to go ahead and spend money recklessly, as they are doing to-day. At the last meeting of the legislature of the province, they passed estimates amounting to some $16,000,000, and showed that the only revenue they hoped to get was some $10,000,000.

Hon. Mr. LOUGHEED—They seem to have the approval of the people.

Hon. Mr. BOSTOCK—Quite true. I quite admit that spending the money in that way meets with the approval of the people, but I would ask the hon. leader of the government where this thing is going to stop. It is quite possible to go forward and arrange for the expenditure of money, and, as my hon. friend said just now, the credit of the Dominion is going to be injured very seriously if the credit of these provinces is impaired. I will point out to the hon. leader of the government that British Columbia to-day has incurred liabilities to the extent of pretty nearly $50,000,000 in the guarantees they have given

to railway companies, and, in addition to that, they propose to expend some $6,000,000 more than they hope to get in the next year. That sort of thing will not go on very long, and therefore the argument put forward by the leader of the government in this House to-day simply shows that the government should consider it necessary to come to the assistance of the province of British Columbia, and help them out in order to maintain the credit of the province. It is a very serious matter we are up against, and there is a limit to that; not alone the credit of the province may be hurt, but the credit of the Dominion also. This is a very serious step which the government proposes to take.

Hon. Mr. LOUGHEED—I doubt if I shall be able to get any further information than that which is disclosed in the official reports of the province itself. So far as I am aware, the only memorials brought down to parliament on the subject were those two which I sent to my right hon. friend yesterday.

Rt. Hon. Sir RICHARD CARTWRIGHT—They contain very little of the information I wanted.

Hon. Mr. LOUGHEED—The information which the hon. gentleman seeks is information only obtainable from the provincial authorities: that is, as to the expenditure of these subsidies within the province. However, I have sent over to the department to see if further information can be obtained.

Rt. Hon. Sir RICHARD CARTWRIGHT—If it is in sufficient detail I will accept such a statement as the hon. gentleman spoke of.

Hon. Mr. LOUGHEED—I shall make further inquiry and endeavour to meet the wishes of my right hon. friend in every way.

Hon. Mr. PROWSE—For years and years we have heard the claim that the conditions on which Prince Edward Island was induced to enter confederation have never been fulfilled as regards winter navigation. What does that claim amount to?

Rt. Hon. Sir RICHARD CARTWRIGHT—I could inform my hon. friend if he desires, but probably we had better let that stand till this afternoon.

Hon. Mr. KERR moved the adjournment of the debate.

The motion was agreed to.

SALE OF ORDNANCE LANDS TO WINNIPEG BILL.

ORDER POSPONED.

Hon. Mr. LOUGHEED moved the second reading of Bill (185) An Act to authorize the sale to the province of Manitoba of certain ordnance lands in the city of Winnipeg.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend has sent me a memorandum in regard to this measure, but it does not contain the information I asked for, namely the correspondence between the Militia Department and the government of Manitoba, which was specially wanted.

Hon. Mr. LOUGHEED—Since we have been sitting I have just received further papers, which I understand are all the papers touching the subject in the Department of Militia, which I will send over to my right hon. friend. The order of the day may be discharged any time

The order of the day was postponed.

ONTARIO BOUNDARIES BILL.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill (152) An Act to extend the boundaries of the province of Ontario.

He said: A question was asked yesterday as to the boundaries described in the Bill. The boundaries of the added territory are those embodied in the resolutions brought down to the House of Commons in June, 1908.

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

BILLS INTRODUCED.

Bill (183) An Act to authorize the granting of subsidies in aid of the railways and bridges therein mentioned.—Hon. Mr. Lougheed.

Bill (187) An Act to authorize the granting of a subsidy to the Canadian Northern Pacific Railway Company in aid of the construction of the railway therein mentioned.—Hon. Mr. Lougheed.

Bill (151) An Act to amend the Volunteer Bounty Act, 1908.—Hon. Mr. Lougheed.

Bill (190) An Act to authorize a bounty to volunteers who served the Crown during the Fenian Raids.—Hon. Mr. Lougheed.

The Senate adjourned till three o'clock this afternoon.

Second Sitting.

The SPEAKER took the Chair at Three o'clock.

Routine Preceedings.

PRINCE EDWARD ISLAND SUBSIDY BILL.

SECOND READING.

The order of the day being called:

Resuming the debate on the second reading of Bill (178) An Act to provide an additional grant to the Province of Prince Edward Island.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am obliged to my hon. friend for the information he has given, which would require, perhaps, a little time to master. I observe in the statement which he has been kind enough to furnish me, which is for 1911, passing over the minor items, that there is a charge of $106,000 for education, and a charge of $47,000 for salaries of officials, not discriminated, but I suppose including what are known as departmental staff and all the rest of it, ministers salaries included.

Hon. Mr. LOUGHEED—I should think so.

Rt. Hon. Sir RICHARD CARTWRIGHT—And expenditure for Public Works, which I take to be roads, of $157,000. I am rather indebted to my hon. friend from St. John (Hon. Mr. Ellis) who proved my case up to the hilt a little while ago. He was good enough to read us a statement which made it appear that the whole difficulty has arisen from the fact that they will not tax themselves to pay for their schools as other provinces do. The entire amount of the deficit which my hon. friend, the leader of the House, read averaged something like thirty or forty thousand a year. It is quite clear the deficit has arisen simply and solely because the gentlemen in Prince Edward Island will not tax themselves to pay for their schools. In point of fact, they hardly tax themselves at all. They tax themselves nothing like in proportion to what other provinces do. I may tell my hon. friend from St. John that I agree with him this far, that I do not complain because one province contributes much more largely than another to federal purposes. I raise no question as to whether a particular province has been well or ill treated, and whether it is a fair subject for generous treatment or not, then a statement of the total amounts that have been expended out of the federal treasury in that province is very much in order and pertains very much to the question. I entirely dissent from him in thinking that when taxes are paid by a province into the federal treasury, to be employed for federal purposes, the Dominion government has a right to take these moneys and apply them, as they are practically going to apply them in this case, for the purpose of paying for things which are not intended to be paid out of the federal treasury or with federal moneys. To all intents and purposes this $100,000 we are asked to pay is a grant from the federal treasury for the purpose of enabling the people of Prince Edward Island to maintain their schools without paying any taxes. I say it is a distinct infringement of the rights of the other provinces that that should be done. I say more particularly that the western provinces of Saskatchewan, Alberta, Manitoba and British Columbia, which contribute very largely indeed to federal purposes, should not be called upon to contribute money for just such purposes as it will be employed for if we pass this measure. I call attention to the fact that there are two very dis-

tinct and very important issues to-day. One is what I may call the practical issue, which I have brought before the House, that just so sure as we pass this Act, just so sure do we set the door open for an infinity of other demands which will undoubtedly be made upon us, and which may make this comparatively trifling Bill the foundation stone for demands which will cost us the equivalent of an addition to our debt of two or three hundred million. No attempt has been made to deal with that. No attempt has been made to answer it, because every man in the House, of experience, knows that I state the exact fact when I say that so sure as this Bill passes, so sure will innumerable other demands be made by the other provinces. Then, there was the other matter brought forward extremely well by my hon. friend beside me (Hon. Mr. Dandurand), and that is the fact that a very few years ago, after full and prolonged conference, lasting, if I remember right, for some five or six weeks, between the representatives of the various provinces, an arrangement was come to as to the sums to be paid to each province; that that was ratified by the Dominion parliament, and ratified afterwards, or considered necessary to be ratified, because it affected the relation of the various provinces, by the parliament of the united kingdom, and that there is now on the statute-book of the imperial parliament a statement that, at the request of the Dominion parliament, this settlement was to be final and conclusive. Thus you propose to destroy and tear up, by a measure which has been very slightly discussed indeed in the other House, and which if it passes this House will of course be, as I say, the foundation for a very serious raid upon the treasury in a very short time. I have no objection to the mode in which these gentlemen dispose of the money which belongs to them, but I repeat that I have the strongest possible objection to the money of other provinces being taken to provide for their educational system, when these other provinces are already taxing themselves very heavily to maintain their own schools.

Hon. Mr. LOUGHEED—There is just one tem to which I wish to direct the attention of the House, in addition to what I pointed out this morning, and that is in the case presented by the province to the Dominion government upon this subject; the deficit for the last fourteen months is shown to amount to $120,000. I find that in education for 1911 they have spent $126,483.33, an increase of $67,288.52. This next item probably is the most conclusive argument and the most conclusive reason which I can urge upon this Chamber as to the advisability of the Dominion government increasing the subsidy, namely, that for poor houses and paupers in 1911 the sum of $51,483.12 was expended by the province.

Hon. Mr. CLORAN—I thought there were no paupers there.

Hon. Mr. LOUGHEED—That is, almost one-fifth of the subsidy granted by the Dominion government the province finds it obligatory to spend to maintain its poor; and it may be pointed out, and has been pointed out, that the increased cost in poorhouse maintenance tells the tale of the loss of population by immigration. The enterprising and hardy seek the western provinces, and prove to be the best material for developing that country, while the infirm generally are left to be taken care of by the province.

Rt. Hon. Sir RICHARD CARTWRIGHT—Is my hon. friend going to lay down as a principle that the federal government are to pay for the paupers in every province?

Hon. Mr. LOUGHEED—No, it simply demonstrates, in my judgment, the inability of the province to stand any more onerous burden of direct taxation than it is at present bearing, and in view of the figures which I have pointed out, the Dominion government feel that they are justified in granting the additional subsidy.

Hon. Mr. CLORAN—Why not let them be annexed to Nova Scotia? They have only 95,000 people in the province of Prince Edward Island, and all the machinery of a local legislature and so on is out of proportion. That's where the money is eaten up. Fifty-one thousand dollars for a

pauper system in that island—I have been there a couple of years, and I never saw a pauper; I do not think I ever saw what I would call a poor man. They must have kept them pretty well closed up.

Hon. Mr. LOUGHEED—I fancy they are not advertising them.

Hon. Mr. POWER—Possibly those paupers are transient paupers.

Hon. Mr. CLORAN—$51,000 for a population of 95,000 seems extraordinary. I know the provincial government of Quebec spend a very large sum of money for charitable purposes—for insane, for orphans, for all classes of people, not exactly paupers, but for all classes. Of course, I have no objection to the island getting all they can out of the government, but it is up to the government to see that the money is not recklessly spent.

Hon. Mr. McMULLEN—I have listened with a good deal of attention to the arguments presented in behalf of this increased subsidy to Prince Edward Island It is a very serious matter to increase subsidies to provinces and thus break the contract virtually made when confederation was formed. From time to time increased subsidies have been allowed in some cases, but I think that before the people of Prince Edward Island have a claim on the Dominion for an increased subsidy, they should be prepared to show that per capita they pay as much in direct taxation into their provincial treasury as is paid by the people of other provinces. I understand they have no municipal system as we have in Ontario, where every farmer pays taxes for roads and bridges and improvements. In Prince Edward Island this work is done by the provincial government; if so, the residents there should pay the same, or about the same, as is paid in other provinces under the municipal system. In Ontario the average tax, on cleared land, for roads and municipal purposes, comes to about 60 cents an acre. It should be proven to the entire satisfaction of this House that the residents of Prince Edward Island pay as much in the way of taxes as residents of other provinces; until they do that they have no right to come begging for more money. We all sympathize with the struggles of any province that is trying to get along, and as far as I am concerned, I would like to see Prince Edward Island in a prosperous condition. If the leader of the government can show that that is the condition of things in Prince Edward Island it becomes our duty to seriously consider their financial embarrassment. In the absence of evidence that they are doing what they should to help themselves, we should not be asked to vote money. Of course the statement I asked for would not include the duty they pay on imports, which cannot very well be reached, but it should show that, through their own direct system of taxation, the tax per capita is equal to that in other provinces.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would like to ask my hon. friend if he did not make a mistake just now when he said the expenditure for paupers was $50,000, because in the statement which he sent me for 1910-11—and apparently the same is correct for 1911-12—I see this entry 'Paupers, legislative grant $2,025; executive council grant $1,033. Total $3,060.94'.

Hon. Mr. LOUGHEED—What I hold in my hand is a memorial evidently prepared by the government upon that subject.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think they must have put on a lot. He will see that a grant of $50,000 for 400 paupers would amount to $125 a head, or $500 or $600 for a family of five. Making all reasonable allowance, there are not families, in all probability, but old people, and the amount seems excessive.

Hon. Mr. LOUGHEED—The papers which I hold in my hand contain a comparative statement between 1873-1911. The expenditure for 1873 for poor houses and paupers is $11,614.56, and for 1911 $51,483.12; an increase of $38,968.08 for 1911.

Hon. Mr. TAYLOR—Does that include buildings?

Hon. Mr. LOUGHEED—That may include buildings.

Hon. Mr. CLORAN—Is that an official document prepared by the government?

Hon. Mr. LOUGHEED—Yes.

Hon. Mr. McMULLEN—In Ontario the poor houses are all built by the municipalities. Each county erects its own poor house, and the inmates are supported by county taxes. Why have not the people of Prince Edward Island a system of that kind in place of having the expense of their poor house taken out of the provincial treasury? Why do not they have a system as they have in Ontario and collect the sums required for these purposes by taxation? I fancy that the local government in Ontario make a per capita grant, but the great bulk of the moneys for building the poor houses and maintaining them is paid from muncipal taxes.

Hon. Mr. POWER—I just wish to make one observation called for by something said by the hon. gentleman from Wellington (Hon. Mr. McMullen). The hon. gentleman must bear in mind that the total population of Prince Edward Island is only about 93,000. The Island contains only about 2,000 square miles. It would be unreasonable, and I think almost absurd to expect that, in addition to the legislature and all the machinery of the provincial government, they should have municipal institutions as well. The truth is, that the business of the provincial government of Prince Edward Island is substantially the business which is ordinarily done by a municipal council, and it is unreasonable to say that things should be paid for by municipalities when there are no municipalities there. I do not mean to say that there is any reason why the people of Prince Edward Island should not, through their legislature, tax themselves for these local things which the municipalities pay in other provinces.

Hon. Mr. McMULLEN—I do not wish the hon. gentleman from Halifax to understand that I advocated the double system of government—municipal and provincial. The people have a right to rule themselves as they please. I only referred to the fact that we had a municipal system in Ontario by which very large amounts of money were paid towards the support of poor houses, for the purpose of maintaining roads and bridges, and for the purposes of education. The taxes are levied upon the people direct, and the farmers contribute about 60 cents an acre on cleared land towards these purposes. Do the farmers of Prince Edward Island contribute a tax equal to what is collected from the farmers of Ontario?

Hon. Mr. DERBYSHIRE—Not a bit of it.

Hon. Mr. McMULLEN—We should know that before the Bill passes.

Hon. Mr. LOUGHEED—I am informed by one of the Prince Edward Island senators that this amount includes the asylum. That is the reason why it is so large.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not think this measure should be carried in this haphazard fashion. No sort of answer has been attempted to the constitutional point raised by my hon. friend (Hon. Mr. Dandurand) that the formal Act of the imperial parliament has been passed declaring the adjustment final and conclusive, and that we are now asked, to all intents and purposes, to destroy that. My hon. friend, the leader of the House, cannot ignore that, and he stated what his view was on that point amongst others. If he merely wants to take a stage in this matter, and will give time for proposing such formal amendments as I myself, or others, might choose to suggest on the third reading, giving a little time to place them on the paper and have them considered by the House, well and good. We would like to know what his view is as to the imperial legislation to which I refer.

Hon. Mr. LOUGHEED—As far as imperial legislation is concerned, there is nothing conclusive in that to prevent the parliament of Canada at any time exercising either its generosity, or its sense of right, in departing from the strict letter, and voting an increased subsidy to a province. That has been exemplified in the case of almost any other province of the Dominion. The terms of union of the different provinces were established and confirmed by imperial legislation, and yet, without

any hesitation, we depart from such terms, and in this particular case, although there may seem to have been a conclusive agreement entered into between the provinces and the Dominion government, confirmed by imperial legislation, yet it was never anticipated, nor would it ever be seriously argued, that that legislation is to bind the Dominion of Canada for all time to come from exercising its own free will as expressed by parliament in dealing with any province.

Rt. Hon. Sir RICHARD CARTWRIGHT —All I can say is that that was not the understanding at the time it was passed. I can tell my hon. friend that when that Act was passed it was intended to be finally final, except on two conditions; if the provinces met again, and after meeting recommended certain alterations, and if the parliament of Canada agreed to those, then the imperial parliament could be applied to, for the purpose of making certain minor alterations. The imperial parliament can always do that when it pleases, but it certainly never was expected that the hon. gentleman and his colleagues should drive coaches and six through an imperial Act of parliament in the way they now propose to do. However, my hon. friend may take the second reading now if he likes, we will consider to-morrow afternoon whether we will put in certain suggestions in connection with this. Of course we cannot amend a money Bill; I am not proposing to do that but we can state out views and we can direct that it be read at a convenient time hereafter. The hon. gentleman will hardly object to that as unconstitutional. That, I think, is well within our legislative competence, and I should like that the House should have, in a matter of this moment, at least a few hours in order to consider what is involved in this Bill. I regret the conduct of the government—not of my hon. friend, because I absolutely acquit him—as showing the greatest possible want of consideration and foresight. It is quite evident from the time which has elapsed since I asked for these things that the government plunged into it with no more consideration—it is perhaps an unreasonable comparison—than a set of youngsters would apply to robbing an apple orchard, or a hen roost.

Hon. Mr. LOUGHEED—Take the second reading and put it down for to-morrow morning, and if there is a prospect of an afternoon sitting we can defer it.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will endeavour to have my suggestions prepared in good time.

Hon. Mr. LOUGHEED—I suggested putting it down for the forenoon, because possibly there will be a chance for prorogation to-morrow, and we could defer it if we held an afternoon sitting.

Rt. Hon. Sir RICHARD CARTWRIGHT —That cuts us very short.

Hon. Mr. LOUGHEED—Everything is up from the House of Commons except the Supply Bill, and if we make good progress to-night very little will be left on the order paper.

Hon. Mr. CLORAN—I would like to point out to the hon. the leader of the government one or two facts in regard to the payment of this extra $100,000 to Prince Edward Island. I would like him to find out exactly the condition of the people of that province with regard to finances and prosperity. If he looks into the matter he will find that the people of Prince Edward Island are, probably, the most prosperous, in the Dominion. The manager of one of the most important banks in Canada informed me, when I was down there two years ago, that fifteen years ago, when he went to Charlottetown, there were only two banks there and that nearly every man had a mortgage on his farm and poverty was staring everybody in the face. He told me that at that time seven of the most important banks in the Dominion had established offices in the town, that there were branches throughout the rest of the provinces, and that every bank was overflowing with farmers' accounts. He said it was amazing to see the amount of money that was deposited in these banks by the farmers. There is nobody else in the province but farmers and fishermen. Some of the farmers are fisher-

men as well as farmers. The prosperity of that province is amazing.

Hon. Mr. DERBYSHIRE—I am glad of it.

Hon. Mr. CLORAN—If they are getting all their money from the Dominion for the purpose of maintaining their poor houses and asylums, and for building their roads, and for educational purposes, there is no wonder they are prosperous. I do not think the leader of the House is very much in favour of this Bill himself, and if he had a proper statement of affairs he could show his colleagues that the province is in a very flourishing condition.

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

SALE OF ORDNANCE LAND TO WINNIPEG BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (185) An Act to authorize the sale to the province of Manitoba of certain ordnance lands in the city of Winnipeg.

He said: This is a Bill with the object of transferring to the province of Manitoba certain thirteen acres of land in the city of Winnipeg for the consideration of $200,000. The property was first transferred from the Hudson Bay Company to the government of the Dominion of Canada under terms of an imperial order in council dated the 23rd of June, 1870, for the admission of Ruperts Land into the Dominion; and on the 22nd of January, 1872, the Dominion government took, for provincial and federal purposes, from the Hudson's Bay Company, a block of 50 acres of land under authority of an Imperial order in council. authority of an imperial order in council. was passed granting the government of Manitoba the easterly half of these fifty acres. By order in council of 27th of June, 1898, the northern portion of the westerly part was transferred from the federal government to the University of Manitoba. Orders in council dated 23rd of May, 1874, and 16th of August, 1895, transferring the southern portion of the westerly half to the Department of Militia and Defence; order in council of the 28th of October, 1893, transferring to the city of Winnipeg certain areas for street purposes, and on the 17th of February, 1912, an order in council was passed by this government transferring from the Department of Militia and Defence to the government of Manitoba the balance of this military property, amounting to about 13·2 acres. As hon. gentlemen will see, this was vested by the Hudson's Bay Company, under imperial order in council, in the Dominion of Canada for public purposes, and the Dominion of Canada, therefore, would be precluded from diverting this property to any purpose other than public, ostensibly for the use of the federal or provincial governments.

Hon. Mr. BELCOURT—Have not certain of these lands in the past been applied to other than public purposes with the consent of the Hudson's Bay Company?

Hon. Mr. LOUGHEED—I am unaware of that. It would be entirely discretionary with the Hudson's Bay Company. Of course no question can arise as to the right of the Hudson's Bay Company to permit the grantee to derogate from the terms of the grant. We have to take the grant as we find it. It is held for specific purpose, namely public purposes. The transfer from one branch of the Crown, as represented by the federal government, to another branch, as represented by the provincial government, and the value of the property has been discussed along commercial lines. It must be quite obvious to hon. gentlemen that it would be impossible for the Dominion government to divert this property for uses other than the uses specified in the grant. It will be found that there has been a very great diversity of opinion among valuators as to the value of the land for commercial purposes. I have before me a list of many valuations by different parties as to the value of this property for commercial purposes. These valuations run from $338,000 up to $688,700.

Hon. gentlemen will readily comprehend this fact, that land of this character that is tied up for particular use must necessarily diminish very greatly in value. If a

property is conveyed to the grantee by the grantor subject to certain uses or for certain purposes, and particularly if those purposes be of a public character, it is impossible to conceive the grantee, unless he can sell them for public purposes, doing anything else with the land except to occupy it himself. Now, it has been ascertained upon close inquiry that, for the purposes that this land is now being used, the government of Canada will be placed in a very much better position with $200,000 to expend upon the increased requirements of the government in carrying out the objects for which the land is now used by going some little distance from the present location and building military quarters, or military buildings for which purpose this is now used. This land is being transferred to the provincial government to use it for provincial purposes. I understand it is proposed to erect provincial buildings upon it, and I need not point out that the transfer from one branch of the Crown to another branch of the Crown still permits of the land being vested in the Crown.

Hon. Mr. BELCOURT—Does the order in council provide that it is to be used for public purposes only?

Hon. Mr. LOUGHEED—This government could not divert it to any other purpose than a public purpose. As I have pointed out, in the original grant from the Hudson Bay Company it must be so used. As a matter of fact, it is intended for provincial buildings. Considerable negotiations have taken place between the provincial government and this government, extending over quite a considerable time, as to the transfer of this property. I understand at one time it was proposed that the provincial government should pay $300,000 for it. The provincial government would not pay that amount, and has never been willing to pay more than $200,000 for the transfer.

Hon. Mr. THOMPSON—Does it not appear somewhere in the public documents that an officer of the government, reporting on the valuation of this property, had placed it at a much higher figure, also accompanying his report by further reference to the fact that one of the ministers of the present government, then representing the Manitoba government, conceded that they would be willing to pay a larger sum?

Hon. Mr. LOUGHEED—No.

Hon. Mr. POWER—Yes, I think so.

Hon. Mr. LOUGHEED—My hon. friend refers to a valuation made by Colonel Biggar, which valuation represents $631,795, fixing the value of the buildings at $176,799, and it is pointed out that those buildings would be of no possible value to anyone purchasing the property. They are old, dilapidated buildings, and entirely inadequate for the purposes of the government, and no matter who bought the buildings they could scarcely be considered of any value, or an asset on the property. Consequently, $176,799, in my judgment, would have to be taken out of that valuation. He also deducts from his valuation for cost of advertising, selling, and carrying charges 20 per cent, $126,359, so that my hon. friend will see——

Rt. Hon. Sir RICHARD CARTWRIGHT—That is a very large deduction for such purposes.

Hon. Mr. CLORAN—Why did he not take the whole of it?

Hon. Mr. LOUGHEED—If we are to attach any value to the valuation of this particular official, we have to accept his whole statement. If he is incorrect, or shows bad judgment, as my hon. friend points out, in charging 20 per cent for the advertising and selling, and carrying out of the sale of the property, then we cannot place very much value upon his judgment in the making up of his valuation. In the correspondence of Colonel Biggar with the government he indicates that he had seen Mr. Rogers, the Minister of Public Works, who mentioned that he was perfectly willing to leave the matter entirely to the government, but when the government pronounced its expectations along the lines of asking a very much larger amount than the government of Manitoba were willing to give, of course the negotiations with Mr. Rogers fell to the ground.

Hon. Mr. THOMPSON—He thought they would wait until they got another government to deal with.

Hon. Mr. LOUGHEED—The negotiations have extended over considerable time, the Manitoba government refusing to pay the amount asked by this government, and this government insisting on what the government of Manitoba considered an extortionate amount; in fact, I understand the amount was increased up to a million dollars.

Hon. Mr. BELCOURT—I see nothing on the record about the Manitoba government refusing.

Hon. Mr. LOUGHEED—The Manitoba government refused to pay more than $200,000.

Hon. Mr. BELCOURT—Where does my hon. friend get the authority for that?

Hon. Mr. LOUGHEED—My best authority for that is that the negotiations never ended in anything conclusive. There is nothing in the correspondence to indicate that there was ever any mutuality between them.

Rt. Hon. Sir RICHARD CARTWRIGHT—There is nothing in the correspondence brought down, I admit, but I am tolerably certain—

Hon. Mr. LOUGHEED—I have seen nothing myself. True I have not had an opportunity of delving very deeply into the very lengthy and numerous correspondence upon the subject. Suffice it to say, there is a proposition which has been accepted by this government to pay $200,000 for the property, and the property is to be used for the purposes which I have mentioned. In the public interest, it seems to me that this is a very reasonable agreement—reasonable as to both parties. The land still remains vested in the Crown. It is simply transferred from one branch of the Crown to the other. It would be of no particular value if vested in the Dominion government. So far as this government is concerned, it would not be an asset representing its commercial value, because, as I have said, the government cannot divert it from its original uses.

Hon. Mr. THOMPSON—Is it not occupied by some Dominion buildings?

Hon. Mr. LOUGHEED—It is occupied now for militia purposes, but, as I pointed out, with the money which it will bring, the government of Canada can secure very much more desirable property and erect modern buildings.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not want my hon. friend to entangle himself. Does he mean to say that the government can buy a site and erect buildings upon it for $200,000?

Hon. Mr. LOUGHEED—Yes; I am simply taking the statement of the Minister of Militia as to the amount. Of course, they do not propose purchasing a site within the city of Winnipeg, but a site somewhat distant, which will answer very much better for the purposes required than a site within the city.

Hon. Mr. CLORAN—Why does not the government donate a homestead to the colonel?

Hon. Mr. THOMPSON—I understood the hon. gentleman to say that Colonel Biggar made an estimate of the value of the buildings at $176,799, and they are not adequate for the purposes of the militia of to-day. Now, could they get another lot and construct buildings that would be adequate, and do that with $177,000 and not $200,000?

Hon. Mr. LOUGHEED—As I pointed out, the buildings as they are at present, are entirely inadequate. They are dilapidated; so far as the government is concerned they possess no value. Whether the property was transferred or not, it is necessary for the government to erect new buildings, and I mentioned that they would not erect new buildings upon the present site.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think my hon. friend will find that, to get a decent site within the city limits of Winnipeg, it will take all of the $200,000.

Hon. Mr. LOUGHEED—They do not propose getting a site within the city limits.

Hon. Mr. CLORAN—They are going to take a homestead.

Rt. Hon. Sir RICHARD CARTWRIGHT —I can venture to assure him that we will be exceedingly lucky, looking at the prices there, if we get off with $500,000 for the barracks, and so on, to be erected.

Hon. Mr. LOUGHEED—The Minister of Militia seems to be very confident of what he can do with this $200,000.

Hon. Mr. DANDURAND—Wait until he meets the real estate agent.

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

VOLUNTEER BOUNTY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (173) An Act to amend the Volunteer Bounty Act of 1908.

He said: This Bill is not printed, but I have a memorandum here in regard to the matter which reads as follows:

A grant of one-quarter section of land (160 acres) in the Northwest was made to each officer and man of the militia who served in the Red River expedition of 1870, and to each officer and man who afterwards was appointed to or enlisted in the relieving force and performed garrison duty at Fort Garry from that time until 1875;

To each member of the enrolled militia force actively engaged and bearing arms in the suppression of the Northwest Rebellion of 1885, and to some few others who were actively engaged but did not really belong to the militia, there were given by the Dominion parliament two adjoining quarter sections of land (320 acres) in the Northwest. Selections were to be made by 1st August, 1886, but the period for selection was several times extended and finally expired on 31st December, 1908.

To those who served in South Africa during the Boer War, 1899-1902, and had their homes in Canada, there have been given two quarter-sections of land (320 acres) in the Northwest. Entry had to be made by last of December, 1910, but this was extended to last of December, 1911.

The aforementioned are the only grants which have been voted by the parliament of Canada for services of the militia.

So far as can be learned no extension of time was refused by parliament.

This is to give a limited extension.

Rt. Hon. Sir RICHARD CARTWRIGHT —Nothing to do with the bounty to volunteers?

Hon. Mr. LOUGHEED—No, simply to amend the Volunteer Bounty Act of 1908, extending the time for the application for scrip.

Hon. Mr. DANDURAND—How long is the extension?

Hon. Mr. LOUGHEED—Until 31st of December, 1912.

Hon. Mr. DANDURAND—Is that final?

Hon. Mr. LOUGHEED—I understand it is finally final.

Hon. Mr. CLORAN—Is there any provision that the land shall be taken up, tilled and occupied?

Hon. Mr. LOUGHEED—Yes, subject to the Dominion Lands Act. All the conditions are subject to the Dominion Lands Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —How many of these warrants are still outstanding?

Hon. Mr. LOUGHEED—There is a list given in the Bill of those who hold them; they are comparatively few.

Rt. Hon. Sir RICHARD CARTWRIGHT —Are you altering the law for a dozen gentlemen?

Hon. Mr. LOUGHEED—The difficulty is the time has expired, and the policy of the government for many years was to extend the time from year to year for the application of this scrip, and in anticipation of the time being extended, the scrip apparently was not applied for. So far as communication with these parties is concerned, it is well understood this scrip has to be applied for this year.

Hon. Mr. WATSON—I am under the impression there is something like 400 scrip located.

Rt. Hon. Sir RICHARD CARTWRIGHT —If we are asked to amend the law for a dozen or so people, it is a very dubious proceeding. If there are a large number of them, it might be another affair. While some reasonable extension could not be

objected to, this has been extended to my knowledge, at least twice, and it looks more or less a dubious matter.

Hon. Mr. LOUGHEED—I should say, with all due deference, that it would be more meritorious to extend it for a dozen men who have been negligent in not taking advantage of their right, than if it applied to several hundred.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not quite agree with that. Of all legislation, that which is passed for a dozen parties, who may or may not be deserving people, is very objectionable. If there were a large class, there would be reasonable ground for supposing there would be special circumstances rendering it impossible for those people to have availed themselves of it. That does not appear to be the case.

Hon. Mr. LOUGHEED—My right hon. friend has probably in view the fact that a large part of this script was transferred to parties who purchased. Ever since the government has been issuing script it has been made use of all through the west as a matter of commerce. It is proposed that those who are assignees of this script shall not be permitted to locate. I understand that there are three or four hundred who hold scrip. Provision is made by which it might be commuted upon being returned to the government. The names that I have read indicate the actual original holders of the script, the parties to whom it was issued and who are yet the holders of that scrip, and who were volunteers and served in South Africa and certainly earned their scrip. The policy of parliament up to the present time has been to extend that scrip from time to time. That these holders should lose the advantage which otherwise would be given would be a case of very great hardship.

Hon. Mr. THOMPSON—What do they do with the scrip held by parties who are not the original grantees?

Hon. Mr. LOUGHEED—They are not permitted to apply it on land. 'It shall be received from the bearer at its face value in payment of any Dominion land open for sale,' the Dominion government will redeem it in payment for land. The assignees of this scrip will not be permitted to locate.

Hon. Mr. THOMPSON—Will the value of the returned scrip be determined by the holder?

Hon. Mr. LOUGHEED—No, it will be accepted at its face value?

Hon. Mr. THOMPSON—What does that mean?

Hon. Mr. LOUGHEED—It is issued at a certain value.

Hon. Mr. WATSON—This scrip is good for 320 acres of land and can be applied on 320 acres of land. I think the intention of the Bill is to extend the time for the location of this South African scrip on the same conditions as for the last three or four years.

Hon. Mr. TALBOT—No, I think it applies only to the actual volunteers.

Hon. Mr. WATSON—There was a suggestion made that it should be extended to the actual volunteers and that where the scrip was held by a speculator, the government would take it back at a valuation of $500. The government has seen fit to extend the time, not only to the original owner of the scrip, but to the speculator who bought to the scrip. The time will be extended until next September.

The Bill was read the second time and referred to Committee of the Whole.

(In the Committee.)

Hon. Mr. WATSON—Why make these schedules?

Hon. Mr. LOUGHEED—These are the only scrip of standing entitled to the benefits of the Bill.

Hon. Mr. WATSON—I understand that there is about four hundred scrip out.

Hon. Mr. LOUGHEED—Clause 6 only refers to this particular schedule. It in no way circumscribes any right.

Hon. Mr. WATSON—I do not know why that number is selected from the four hundred.

Hon. Mr. LOUGHEED—Before we get to the third reading I will make inquiry about that.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does my hon. friend know whether the parties in this schedule are men who actually served in South Africa?

Hon. Mr. LOUGHEED—Before the Bill is read the third time I shall make inquiry about that and inform the House.

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

QUEBEC BOUNDARIES BILL.

SECOND AND THIRD READINGS.

Hon. Mr. LOUGHEED moved the second reading of Bill (151) An Act to Extend the Boundaries of Quebec.

Rt. Hon. Sir RICHARD CARTWRIGHT—In the interest of Ontario, I should like to know why Quebec is to get the whole hinterland behind it, and you have clipped Ontario of a large portion of the hinterland which belonged to it.

Hon. Mr. LOUGHEED—My hon. friend should be familiar with that, because it was his government proposed doing this.

Rt. Hon. Sir RICHARD CARTWRIGHT—Not on the terms you granted to Manitoba.

Hon. Mr. LOUGHEED—I am speaking of the Quebec boundaries. We are extending the boundaries of Quebec according to the resolutions passed by the late government. We are not departing from those resolutions of 30th June, 1908.

Hon. Mr. WATSON—Then they must be right.

Hon. Mr. DANDURAND—I want to make all due reservation for the consequences of these measures we are now passing increasing the territory of Ontario and Quebec. I have not consulted my hon. friend to my right as to what will be the policy of Ontario, but we have only to look at the map to see the immense responsibility and charges which will fall upon the shoulders of Quebec, and inasmuch as one province only requires to come and knock at the door to obtain an increased subsidy, I think we are laying the ground for a very large increased subsidy for Quebec.

Hon. Mr. LOUGHEED—My hon. friend from De Lanaudière (Hon. Mr. Dandurand) should not feel uneasy about that. It should give him great encouragement.

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

Hon. Mr. LOUGHEED moved the third reading of the Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend's suggestion about more plunder requires consideration.

Hon. Mr. CLORAN—Supposing there is a population of 50,000 or 100,000 in that new district, how will that affect the constitutional division for membership in the House of Commons?

Hon. Mr. DANDURAND—The Bill provides that the population will be represented as if it were not part of the province of Quebec. It will have its representation based on the same unit as Quebec.

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

FENIAN RAID VOLUNTEER BOUNTY BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (190) An Act to authorize a bounty to Volunteers who served the Crown during the Fenian Raids. He said: This Bill provides for the payment of $100 to every volunteer who is resident in Canada on the date of the passing of this Act, who was called out for active service in 1866 or in the year 1870, excepting the two battalions of riflemen formed for services in the Northwest Territories. I have a memorandum from the department which reads as follows:

Memorandum for the Honourable the Minister: Fenian Raid Veterans.

According to the best information that can now be obtained, the number of volunteers called out in Old Canada in the years 1866 were:—

In the month of March.. 14,000
In the month of June.. 20,000

Of those it is probable that as many as 12,000 were out in both months.

In the same year it appears that about 1,500 were called out in Nova Scotia and 500 in New Brunswick.

In the year 1870 the number called out were about 4,000, but, strange to say, there is not the slightest reference to that mobilization in the general orders of that year.

It may be assumed that there are 10,000 Fenian Raid veterans still living. At all events, it would not be well to calculate on a smaller number than that in making a computation as to the amount of money necessary to meet the proposed claims.

That is signed by Col. H. Smith, Judge-Advocate-General.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think the colonel is a good officer, but how did he come to be a Judge-Advocate-General?

Hon. Mr. LOUGHEED—I could not tell my hon. friend.

Rt. Hon. Sir RICHARD CARTWRIGHT —Because my recollection is that he was retired some considerable time ago as being too old to serve.

Hon. Mr. LOUGHEED—I think not. I do not speak by the book, yet I understand he is still an active official in the department, and he is regarded as one of the most valuable officials in the service.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not object particularly to the colonel being employed, because I am rather inclined to think he is a good official, but this Militia Department is going out of bounds altogether. I dare say it was the predecessor of the present gentleman who brought him back there, but if you first of all retire an officer on the ground that he is too old to be of use, and then afterwards appoint him on the staff in a very important position, a pretty curious precedent is being created. What I more particularly wanted to call the attention of the minister to is this: Are you not going very considerably outside of the record when you make the Dominion of Canada pay for services rendered to the old provinces of Canada? If I understand you correctly, the great bulk of these grants go to parties who served before confederation, for Ontario and New Brunswick.

Hon. Mr. DOMVILLE—No; New Brunswick was in confederation in 1866, I think.

Rt. Hon. Sir RICHARD CARTWRIGHT —Confederation did not take place till 1st of July, 1867.

Hon. Mr. DERBYSHIRE—Col. Domville was in that.

Hon. Mr. DOMVILLE—I shouldered a musket about that time.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think my hon. friend opposite (Hon. Sir Mackenzie Bowell) was also engaged about that time. I do not grudge him the $100. I have no doubt he would have potted a Yankee or a Fenian if he got a chance. This matter should be discussed and understood, for it received scant justice in the other House. Those gentlemen do not appear to me to be very faithful guardians of the public purse, whether ordinary members or members of the government, where there is a little popularity to be made. But passing that, a large number of men were called out. Very few, I believe, were engaged at all. If my recollection is correct, a very small number actually smelt powder out of the number that were called out.

Hon. Sir MACKENZIE BOWELL—Not many smelled powder.

Rt. Hon. Sir RICHARD CARTWRIGHT —Did any of my New Brunswick friends smell powder on that occasion?

Hon. Mr. DOMVILLE—Oh, yes, they smelled powder—a long way off

Rt. Hon. Sir RICHARD CARTWRIGHT —But there is this distinction. I entirely approve of recognizing the services of men who have ever been actively engaged, or who are called out or remain under arms for a considerable space of time, because such men did perform really good services. I am not so clear about the propriety of recognizing everybody who might have been called out for a few days service. At that time I was taking an interest in militia matters and, unless I am greatly mistaken, a very considerable number of those parties were just simply enrolled for a day, perhaps for a week or two, and then sent home again. We were not in sufficient funds to keep them very long in the

field. Is there any distinction, or any rule laid down or likely to be laid down, with respect to the actual terms of service? Because, to pay one man $100 who has been out three months, and to pay the same to another fellow who was out three days, does not seem to me to be quite consistent with sound policy, or good judgment, either. I am speaking more particularly of Ontario.

Hon. Mr. LOUGHEED—The Bill provides for every one called out for active service in the years mentioned.

Rt. Hon. Sir RICHARD CARTWRIGHT—But some were called out for active service and sent back with great promptitude.

Hon. Mr. LOUGHEED—That was not their fault.

Rt. Hon. Sir RICHARD CARTWRIGHT—So that any regiment that was called out and was only out for a week, stands on the same footing as those that were out for three or four months.

Hon. Mr. LOUGHEED—The same.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am not sure that my hon. friend from Hastings (Hon. Sir Mackenzie Bowell) had to bestride his charger and flourish his sword, for how long during the Fenian raid?

Hon. Sir MACKENZIE BOWELL—Two or three weeks in camp at Prescott, and three weeks at six and three pence per day at Amberstburg.

Rt. Hon. Sir RICHARD CARTWRIGHT—There should be some distinction between those who were merely called out and those who served for considerable time. You are proposing to give about a million dollars.

Hon. Mr. LOUGHEED—If there be about ten thousand survivors it will amount to about that.

Rt. Hon. Sir RICHARD CARTWRIGHT—There will be about ten thousand survivors.

Hon. Mr. POWER—Oh, yes; look at the United States.

Rt. Hon. Sir RICHARD CARTWRIGHT—Do not be under any misapprehension on the subject. You offer a bounty of $100. Why, it is enough to discover the lost tribes of Israel.

Hon. Mr. DOMVILLE—My right hon. friend talks about New Brunswick. I want to tell him there are just as good fighters down there as any place.

Rt. Hon. Sir RICHARD CARTWRIGHT—I said nothing about New Brunswick. I was confining my remarks to Ontario.

Hon. Mr. DOMVILLE—The New Brunswick's were out at Joe's Fort and they were co-operating with the 'Wolverine'; they received the thanks of Mr. Gordon, who was then Governor, for their services, and it is on record in the library. They were ready to do all they were called on to do. They were not killed, but that was not their fault. They were ready to fight if there was any fighting to be done. If you use that argument it will not encourage men to turn out if occasion should require them to do so on some other occasion. I want to enter a protest, on behalf of the soldiers that went to the front from New Brunswick, myself included. I hold a medal with one bar, and I am not debarred from receiving the $100.

Rt. Hon. Sir RICHARD CARTWRIGHT—I made no reflection on the valour of my hon. friend, or on the valour of the New Brunswick contingent. I entirely agree that men who were called out and remained ready for service for a reasonable space of time, should be recognized. A considerable number of men from my own province never did anything more than respond when called out, and then went to their homes again.

Hon. Sir MACKENZIE BOWELL—There is no doubt that what my hon. friend has said with reference to calling out the volunteers in 1866 is correct. A large number of battalions and independent companies were called out and remained at home, and were never sent to the front. They were put under military rule and were ready to march to the front if required. Other regiments were ordered to the front and served for some time. The battalion to which I had

the honour to belong was sent to the front, but, fortunately, we had no necessity to fight, and all we did was to practice with blank cartridges. Colonel Smith was the former brigade-major at Cobourg, and I was his trumpeter. He was a very efficient officer. He was appointed by the late government to the position which he now holds. His particular duty, for some time, was to look after the claims of the volunteers who had served in the rebellion in the northwest, and during the Fenian Raid. Both the late Minister of Militia and the present Minister of Militia looked upon him as being one of the most efficient officers in the service, and he has been continued. Although he is advancing in years he is a very efficient man and had performed the services allotted to him with distinction. He has a good reputation both with the government and every one with whom he comes in contact. Experience leads me to believe that the present government are doing right in awarding $100 instead of giving a land grant. I shall be very much surprised if the number is limited to 10,000. I know the position the Ontario government placed itself in when the late administration allotted a quarter section to each volunteer who served during the Fenian Raid. The number of applicants was so great that the present Minister of Railways and Canals, when he was at the head of the Crown Lands Department in Ontario, in speaking to me on the matter, said it was impossible, with the land available at that time, to meet the demands that were being made, and he asked me what I thought was the best way to wipe the matter out of existence. He said 'we will have to survey other townships in the northern part of Ontario to secure land to allot to these volunteers.' I made the suggestion to him at that time to adopt the principle of paying a certain sum of money equivalent to the value of the land in that section, and subsequently the government adopted that plan. Applications have been made over and over again by the Veterans' Association of Ontario for a grant of land. I took the liberty of pointing out to them the impropriety of asking the government to make a land grant in the Northwest, for the reason that it would result in the scrip passing into the hands of a lot of speculators. The veterans were too old to go and settle in the country. The government of the day have adopted the system of paying a certain sum, $100, rather than giving a land grant, and that is the position in which the matter stands at the present time.

Rt. Hon. Sir RICHARD CARTWRIGHT —I had an experience myself in 1875 with respect to the veterans of the war of 1812-14. That had occurred a very long time ago, and no man could come forward to claim the bounty that was awarded then unless he was over 80 years of age. Actuaries assured Mr. Mackenzie and myself that there was no possibility, looking at the then population of Canada, of more than 1,000 men claiming the grant. We gave $50,000, intending that each man should get $50. When we came to look into the matter 3,000 venerable gentlemen established their claims, and a very considerable number of them, I believe, after their claims were established, must have attained, before the thing was finally wound up, quite patriarchal years of existence. I am not quite clear, but I think in the township of Adolphustown there were some worthies who, after obtaining the pension, lived to the age of 100, and I think one is 115, and a very considerable number exceeded the century.

Hon. Mr. YOUNG—Are there any still living?

Rt. Hon. Sir RICHARD CARTWRIGHT —I think not. Veterans of 1812 and 1814 are scarce these days. The point I made is one that deserves more attention than the government has given to it. I quite agree that every man who was summoned and remained in active service in any shape or form, for any reasonable time, is a proper subject for anything you choose to give, but I am not clear as to the others. I rather think you will find that, first and last, there were called out between 25,000 and 30,000 men along our frontiers in respect to the troubles of 1866. The raid of '66 was really a serious matter and I am not disposed to interfere with any recognition of men who, like my hon. friend, and the batallion to which he belonged, were really put in a position to do active

service. A number of men were not called away from home more than a week.

Hon. Mr. LOUGHEED—How would my hon. friend draw a distinction? The difficulty is they were called out, and responded to the call.

Rt. Hon. Sir RICHARD CARTWRIGHT—If they were called out and went into active service, that would be sufficient. If they were notified to hold themselves in readiness, I would not consider that was sufficient. I think they should have served for some particular time. A very considerable number richly deserve it. A large number of them have gone to join the great majority, and you do not propose to look up the heirs.

Hon. Mr. LOUGHEED—Oh, no, not even their widows.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend was, of course, born, but he was not in active service in 1866.

Hon. Mr. LOUGHEED—I did not do much fighting then.

Rt. Hon. Sir RICHARD CARTWRIGHT—The Militia Department should see that these bounties are confined to men who really were called out to service, not to the class who were notified they might be expected to serve, because my hon. friend knows that amounts to nothing at all. In the case I named I do not object at all.

Hon. Mr. LOUGHEED—Would you not consider equally meritorous a man who was notified and was willing to go out to serve his country. Would he not deserve recognition just as well as the man who possibly stood in the front of battle? It was not the fault of these men that they did not reach the front; they responded to the call, and it seems to me they could not do more.

Rt. Hon. Sir RICHARD CARTWRIGHT—If they responded to the call, yes, but there should be some limit of service.

Hon. Mr. CLORAN—It is paid to men who abandoned their Canadian citizenship and went elsewhere?

Hon. Mr. LOUGHEED—No.

Rt. Hon. Sir RICHARD CARTWRIGHT

Hon. Mr. DERBYSHIRE—Would parties who paraded, but who never were called out, receive anything?

Hon. Mr. LOUGHEED—No, only those who were called out for active service.

Hon. Mr. DERBYSHIRE—I am sorry about that. We paraded several times.

Hon. Mr. DANDURAND—Once a soldier has been called out, if he has fallen into the ranks, he is supposed to receive this grant. If any distinction should be made, it would be between those who went to the front, and those who remained awaiting orders. It will be pretty hard unless you draw any other distinction between those who were called to arms. There was one question running through my mind as I heard the statement that the figure would go beyond one million dollars; that was to inquire if the right to claim an indemnity from the United Stotes was proscribed, or if this amount would be charged up as part of that claim which might be made one of these days?

Hon. Mr. LOUGHEED—I think so. I think we can charge this up. I was not old enough to know what was going on when the 'Alabama' claim was made, but I wondered if this claim was taken into account at the time.

Hon. Mr. WATSON—Why are the two battalions of riflemen formed in the Northwest excluded from this bounty? I should like to ask also if the men who volunteered to repel the invasion of the Fenians in Manitoba in 1870 will get this bounty?

Hon. Sir MACKENZIE BOWELL—The claims of the men who served in the Northwest battalions were recognized some time ago and scrip was issued.

Hon. Mr. WATSON—Will the men who turned out to repel the invasion of O'Donaghue with his band of Fenians be included in this?

Hon. Mr. LOUGHEED—Oh yes.

Rt. Hon. Sir RICHARD CARTWRIGHT—They were certainly entitled to it.

Hon. Mr. WATSON—They may not have been regularly enrolled. I think these men banded themselves together without any orders.

Hon. Sir MACKENZIE BOWELL—I understand they are provided for.

Hon. Mr. WATSON—I refer to the men who volunteered and went out themselves.

Hon. Mr. LOUGHEED—If they were enrolled under the Militia Act they would be entitled to this bounty.

Hon. Sir MACKENZIE BOWELL—My hon. friend said that no doubt I would be ready to serve at any time if I had the opportunity. My impression is, judging from my own character and feelings, that I am not so blood-thirsty as he thinks I am; but I desire to call his attention to the fact that I belong to an order which was called out and placed on the frontier and we were there for four long months, not for the purpose of potting the Yankees, but to prevent the Yankees attacking themselves. A large number of Yankees took refuge in the southern parts of Canada, about the head of Lake Erie, and seized a steamer on Lake Erie, and the Canadian volunteers were sent there to maintain the neutrality of Canada and prevent one portion of the Yankees attacking the other. While we kept the southerners in proper order there was no opportunity offered for 'potting' any of them; but had it been so, I have no doubt that the corps to which I belonged would have done their duty.

Rt. Hon. Sir RICHARD CARTWRIGHT—I have no doubt at all. My hon. friend beside me asked a question of some interest, although it is not strictly relevant, perhaps, with respect to the position of the claims which Canada was justly entitled to prefer against the United States, on account of the Fenian Raid, and wanted to know what had been done about the matter. It happens that I am in a position to say tolerably correctly what was done about it. When Sir John Macdonald and his friends went to Washington—I think Sir Stafford Northcote was the chairman there—our claims for compensation for the Fenian Raid were brought up. The British authorities ruled them out; they would not present them, and the Americans would not entertain them. I expressed my feelings on the subject in a motion in the House of Commons, seconded by the late Walter Ross, of Prince Edward Island, in which I dealt with great frankness with the gross injustice that had been done Canada, and what I considered the very cowardly action of our friends in England on that subject—very cowardly action, more cowardly because we had compensated the Americans in the cause of the raid at St. Albans, and we were entitled, under all the circumstances, to have been compensated for the gross breech of international law, and municipal law and every other kind of law which was permitted on the part of those Americans who, to my certain knowledge, and the certain knowledge of thousands of Canadians, encouraged the Fenian organization in 1866 in the United States, and who put us to the expense of maintaining 20,000 or 30,000 men, more or less, in a state of readiness, a good many of them actually in the field, in order to protect our frontier from those raids. Over and over again I have brought that forward to English statesmen as an extremely strong reason why Canada's claim should have been considered in other ways, and I have always held it was a very gross blot on English diplomacy that they allowed the Americans to push their claim for the breach of international law, if it was such a breach, which led to the Geneva arbitration, while they refused to pay the slightest consideration to the plain, palpable and gross violation of international law on the part of the American authorities, including a very considerable number of Americans in high station, in aiding and abetting the Fenian Raids in 1866.

Hon. GENTLEMEN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—But we never got any satisfaction for it except this, that subsequent to this motion of mine, and owing to remonstrances made by the then Canadian government, the British government agreed to endorse our paper to a certain extent for the construction of the Intercolonial railway. If you call that compensation, we got that compensation, and nothing else.

Hon. Mr. POWER—There is a circumstance in connection with Nova Scotia to which I think it well that the attention of the leader of this House should be directed. As I understand, in the old province of Canada, at the time of the Fenian Raid of 1866, there was no general organization of militia, but in Nova Scotia we had an excellent militia law under which every man, from the age of 16 years to that of 45, was enrolled and had to turn out and drill for a certain number of days each year. Unlike my hon. friend from De Lorimier, I was, unfortunately, old enough then to turn out and drill—I mean unfortunate in the sense that, in looking back now, I am so much older than my hon. friend. It will be remembered that practically the whole male population of the province of Nova Scotia was constituted an organized militia. When the Fenian Raid threatened, those men were called out in this way: the different battalions met and drilled at Halifax, for instance—I do not know to what extent throughout the province—and in the end the artillery corps took the place of the regulars in the fortifications at Halifax, and I suppose that the survivors of those men would be all entitled to share in this bounty of $100. While I would not grudge it, I remember that the South African war, and the land grants made to the volunteers who served there started up a crop of claimants on account of those earlier difficulties, and there was an organization formed in Nova Scotia, and I think in the end it extended over the whole country, to push their claims for consideration. Their application was for grants similar to those given to those who took part in the South African war. I am glad that the government have not adopted the plan that was followed with regard to the South African veterans, but I think some provision should be put in this Bill to prevent claims from men who did not actually undergo any hardships at all, who were not volunteers, but who were compelled by the law and statute to turn out. I was one of those, and I should be ashamed to take money for having done that. If I had volunteered, and had run any risk, it would be a different thing. I was simply ready to turn out, and had my rifle in the house and all that, but I never did any actual service. I could not help it; I had to turn out, under the statute; I did not smell any powder, and why should I, after the lapse of 40 years, get $100?

The motion was agreed to, and the Bill read the second time, and referred to the Committee of the Whole.

(In the Committee.)

On clause 2,

2. In this Act "volunteer" means any person who was regularly enrolled or enlisted in and served with any militia or of New Brunswick called out for active service in the year one thousand eight hundred and sixty-six, or which the Government of Canada called out for active service in the year one thousand eight hundred and seventy, excepting, however, the two battalions of riflemen formed for service in the 'Northwest.'

Hon. Mr. POWER—I do not know just the exact meaning of 'called out for active service,' but I think this measure should apply only to those who actually did go out. Take the battalion to which I belonged: We were, in a way, called out, and were under orders; there was rather an expectation that a Fenian warship was going to take Halifax, and we were told that if the vessel appeared during the night, the signal for our assembling would be three guns, but we did not actually do any active service.

Hon. Mr. LOUGHEED—That is a more difficult task than doing active service. I venture to say that any soldier called out for active service would very much prefer being engaged in the activities of war than waiting to go to the front, and I should say that the man who belonged to an organization and at least was ready to obey any call that was made upon him, was quite as much entitled as the one who stood in the front of battle.

Hon. Mr. POWER—I suppose that, inasmuch as money is plentiful now, it is just as well that a few deserving people, such as these old militiamen are, should get a share of what is going, I do not object.

Hon. Mr. ELLIS—The conditions which the hon. gentleman from Halifax described as existing in his province existed also in New Brunswick. I was a member of the

militia, but it would seem to me absurd to get any money for what was partly a joke, and partly a mustering of men on the hillside around St. John for a single day's work. I think the Bill ought to be more guarded.

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

RAILWAY SUBSIDIES BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (183) An Act to authorize the granting of subsidies in aid of the construction of railways and bridges therein mentioned. He said: I really regret that I cannot give the House any more information than that which is contained in the Bill itself.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is nothing in the Bill itself except the amendments they want. Is that the whole information you have to give?

Hon. Mr. LOUGHEED—That is the whole information I have to give at the present time.

Rt. Hon. Sir RICHARD CARTWRIGHT —What is the total.

Hon. Mr. LOUGHEED—I could not tell that even.

Rt. Hon. Sir RICHARD CARTWRIGHT —You are asking us to pass a Bill for many millions and you do not tell us how many.

Hon. Mr. LOUGHEED—The Bill came down to-day without my being able to get any information on the subject. I do not know that any information which I might get upon the subject would make it more palatable to my hon. friends opposite.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is some sort of reason in at least knowing how much you are going to ask for.

Hon. Mr. LOUGHEED—Sometimes it might be more comfortable not to know that.

Hon. Mr. DERBYSHIRE—It would be more comfortable over here if we did not know.

Rt. Hon. Sir RICHARD CARTWRIGHT —It might enable us to congratulate the government, which no doubt my hon. friend would like me to do, on the extraordinary and remarkable fashion in which they have carried out the pledges of economy made by them to the electors of Canada if they succeeded in the last election.

Hon. Mr. LOUGHEED—Our very close contact with the hon. gentlemen opposite I have no doubt, has led to this generosity of voting public money.

Hon. Mr. CLORAN—We never were so generous as that.

Hon. Mr. LOUGHEED—A great number of the items are re-votes.

Rt. Hon. Sir RICHARD CARTWRIGHT —A considerable number are re-votes, but in all reason and conscience we ought to know, for decency's sake, how many are re-votes and what is the total.

Hon. Mr. LOUGHEED—On the third reading I shall be fully posted.

Hon. Mr. BOSTOCK—I would like to draw the attention of the leader of the government to item 41 of this Bill, which deals with a provisional charter. I understand the question was raised in the other House that the legislation that we have been in the habit of putting in this subsidy Act does not apply in the way we understood. If a company having a provincial charter comes to the Dominion government and asks for a subsidy, the railway does not necessarily come under the control of the Board of Railway Commissioners.

Hon. Mr. LOUGHEED—The difficulty lies in the fact that some of these provincial roads are part and parcel of some larger system. Agreements have been made between the provinces and the roads by which they continue to be provincial roads. The difficulty is for the Dominion government to absolutely ignore such agreements

as may obtain between the province and these provincial undertakings. There remains this to be said, that at any time the Dominion government can declare any railway to be a work for the general advantage of Canada, and thus bring the road under the jurisdiction of the Railway Board.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would rather think they surrendered that power by some provision of the Railway Act.

Hon. Mr. DANDURAND—Is this a railway that would be a continuation of the Transcontinental?

Hon. Mr. BOSTOCK—The clause reads as follows:

41. To the Naas and Skeena Rivers Railway Company, for a line of railway from the Nasoga gulf or some other point on the waters of the Portland inlet or Naas river to or towards the anthracite coal deposits on the Skeena river near Ground Hog mountain; not exceeding 100 miles.

It is not only the question of rates on the road, but the question of the standing of the road in construction. In this the government have some responsibility to see that roads to which they give money in the way of subsidy are constructed of a certain standard. We have a provision in the Railway Act, of 1911, which requires the Railway Board to insist on the road being brought up to the proper standard, but under this arrangement we would be giving money to the road without any control, or having anything to say about what the standard of the road should be.

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

CANADIAN NORTHERN PACIFIC RAILWAY SUBSIDY BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (187) An Act to authorize the granting of a subsidy to the Canadian Northern Pacific Railway Company in aid of the construction of the railway therein mentioned.

He said: This Bill proposes to pay $12,000 per mile to the Canadian Northern Pacific Railway Company to aid the construction of the railway from Yellowhead Pass to Vancouver and the mouth of the Fraser river, not exceeding 525 miles. It is estimated that the maximum cost of this road will be $65,000 per mile, a very much lower estimate than that for the building of the Grand Trunk Pacific in its mountain section. The province of British Columbia has entered into an agreement with this company to guarantee its bonds up to $35,000 per mile; so that it will be observed that the road itself assumes a very considerable obligation, and the assistance which is being granted by this government is not unreasonable, when we take into consideration the very extensive character of the work to be performed. The granting of a guarantee by the British Columbia government which, to a certain extent, will assist the road, will, of course, entail the company raising of the necessary funds to make up the difference between the $12,000 per mile and the estimated cost of $65,000. The guarantee of the province of British Columbia will only assist them in financing that difference of $35,000 per mile. This is intended to be a transcontinental system and will certainly be a great factor in the development of the country through which it will pass.

Hon. Mr. BOSTOCK—This is a very extraordinary Bill. It proposes to grant a subsidy to the Canadian Northern Pacific Railway Company on 525 miles of road through British Columbia. In the first place there is a difference of 25 miles between the provincial guarantee and the guarantee proposed in this Bill. The provincial guarantee is only on 500 miles.

Hon. Mr. LOUGHEED—The subsidy will be applied on whatever the distance is. It is not to exceed 525 miles.

Hon. Mr. BOSTOCK—This railway is altogether out of the hands of the Dominion government which is handing over $12,000 a mile, or $6,000,000, without any restriction or control over the railway. The arrangement made by this company with the government of British Columbia was drawn up in 1910, and the Premier of the province, when he was addressing the peo-

ple of British Columbia made a great deal of the fact that the control of the rates was in the hands of the provincial government. He led the people to think he was going to do a great deal more for them in the matter of rates than could be accomplished by the Railway Commission. The agreement with the road was as follows:

> In consideration of the guarantee of the securities hereunder the Canadian Northern Railway Company covenants that the Pacific Company will agree that the Lieutenant Governor in Council may from time to time, having due regard in so doing to the position and interest of the Pacific Company, and in case of traffic destined to or originating in the other provinces of Canada, bearing also in mind the desirability of obtaining reasonable rates from points in the province of British Columbia to points in the other provinces, or vice versa, modify any rates established by the Pacific Company on the said added lines within the province of British Columbia.

There is a great deal more in this clause, but I want to point out that the rates of the Canadian Northern Pacific Railway Company are not to be modified without taking into consideration the position and interests of that company. The position is that the government guarantee the principle and interest of the railway, and in addition to that, if the earnings of the Pacific Company during any of the first three years of operation are insufficient to pay operating expenses and interest on bonds, the government shall pay the amount of such deficit. They gave them a grant of land for their townsite, free gravel and timber and other matters, and they want to build the railway on government land. When they come to deal with this question of rates, the rates in the province can only be dealt with, taking into consideration the position and interest of the Canadian Northern Pacific Railway Company. It does not make any difference what the Canadian Northern is doing, whether it is a profitable company and returning good dividends to its shareholders and making lots of money, you are not to take into consideration the position of the Canadian Northern railway, but you must take into consideration the position of the Canadian Northern Pacific Railway Company; and I think in the case of the Canadian Pacific railway, which runs through the same kind of country as this road is being constructed in, it was twenty years after the completion of the railway before they paid dividends. I think that clause which was put in by the Premier of the province of British Columbia is simply so much waste-paper. It does not amount to anything. It does not give the province of British Columbia any possibility of dealing with the question of rates. It was stated in the other House the other day that later on the government proposed, or intended, to bring this railway under the Board of Railway Commissioners and under the Minister of Railways at Ottawa, but that, as I understood it, was only to be done in regard to the question of through rates. I think every hon. gentleman will agree with me, as far as that question is concerned, that they are going to be fixed by competition. The through rates will be from points where the Canadian Northern railway and Canadian Pacific meet. The Canadian Northern railway will give the same rates, or pretty nearly the same rates, as the Canadian Pacific railway, or Grand Trunk, or any other road they are competing with, but when it comes to rates in the province they will not compete. Then comes the question of guaranteeing the interest of the Canadian Northern Pacific bonds.

The other day a matter that will interest the hon. the leader of the House a little, took place. A gentleman well known in Vancouver, Sir Charles Hibbert Tupper, in an interview with a newspaper, used these words:

> The vague clause as to rates stands out in splendid contrast with the provisions which follow: Whereby the province is made to guarantee securities for $35,000 a mile for four hundred and fifty miles, with interest at four per cent for thirty years. But that is not all. During the first three years of operation if the earnings be insufficient to pay 'the operating' expenses, and interest on securities, then the province is to make good the amount of the deficit of interest.

Then he went on and said that the province of British Columbia was practically in the hands of these railway corporations. Then, there is also the question of the character of the road. In this agreement made with the province of British Columbia, it is stated 'that the line, when completed and equipped, shall, in all respects,

be equal to the standard of the main line of the Canadian Northern railway as constructed between the city of Winnipeg in the province of Manitoba, and the city of Edmonton in the province of Alberta, as the condition of that line was when first completed and ready for operation. Now, this line, hon. gentlemen, is a line through a mountainous country, and the only standard they are required to come up to is the standard of a line running through the prairie country which, in my opinion, is a totally different thing. Apparently the Minister of Railways is content to give them this money for a line of that character. I think it is a very serious condition of things that lines of that class should be allowed to be built through a canyon like that through the Fraser valley. Possibly hon. gentlemen may not know where a railway like that runs. It starts at Vancouver, and to Westminister, and then up the south side of the Fraser valley till it comes to Lytton, when it crosses over to the north side of the river. This road does not open up any country along there, because on the south side of the Fraser river to-day the farmers and the people are served by an electric road which is run by the British Columbia Electric Railway Company from Vancouver to Chippewa. The Canadian Pacific railway crosses the river just above the Mission, and the main line runs on the north side of the river, so that all through that distance the lines practically parallel one another. The same thing continues till you come to Kamloops. When you get to Kamloops the line of the railway goes north until you come to the Yellowhead Pass. The question of that Pass has been fought out in this Chamber and in the other House. The question of control and running rights over this railway was fought out in the year 1906; we had a very considerable fight in this Chamber between a gentleman who promoted this railway and other people in British Columbia who were at that time trying to obtain a charter, and who did obtain a charter for a line from Vancouver to Edmonton. The only way these gentlemen got their charter was by putting a very strong clause in the Bill in regard to running rights on their railway by other roads. The very people who stood up and fought for that clause were the promoters of this Canadian Northern Pacific railway. It occurs to me that, besides getting away from this question of control of rates, one of the objects of this arrangement is to get away from that question of the control of running rights. although the Yellowhead Pass is broad, and has room for several railways to run through it, when you turn south coming down towards Kamloops there is a very narrow canyon or gulch, through which practically only one railway can run, and this Canadian Northern Pacific railway getting through it will practically have control of the situation and, not being subject to the Railway Commissioners, there will be no power to deal with that question. It appears to me that this government should not pass legislation of this kind without properly safeguarding the situation, and they should insert a clause that would give them full control, both over the standard of the road to be constructed, and the rates and general running of the line. If hon. gentlemen take the arrangement that was made by the late government with the Canadian Pacific railway for the building of the Crowsnest Pass line, through a country similar to the country through which this road is being built, they will see at once the difference between arrangements made by the late governmnt on that occasion and the arrangement made by the present government. At that time this government gave the Crowsnest Pass line eleven thousand dollars per mile, and stipulated that the road should be according to the standard which was approved by their railway department and engineers, and the machinery they had at that time for seeing that the work was properly carried out. Sir Charles Hibbert Tupper in the interview above quoted points out that the province of British Columbia to-day has no properly qualified people who are capable of giving a report to the provincial government as to the condition of the road that is being built. I think it is a very serious matter, that this government should practically hand over some $6,300,000 to this company, without any condition, or regulation, or arrangement by which they can control the work.

Hon. Mr. LOUGHEED—There are just two points to which I would like to make reference. The government reserves the right to see that the road is built up to the standard provided for in the Subsidy Bill. I would remind my hon. friend that section 8 of the Railway Act applies to this company. That section provides that any road which connects with another road under authority of this parliament is subject, so far as its through traffic is concerned, to the jurisdiction of the Board of Railway Commissioners. The Canadian Northern railway is a Dominion road and connects with this road in British Columbia. It, therefore, makes through rates subject to the jurisdiction of the Dominion Board.

Hon. Mr. POWER—Did not the Privy Council hold differently in the case of the Montreal railway?

Hon. Mr. MACDONALD (British Columbia)—I am very surprised that the hon. gentleman should say anything against the granting of this subsidy to the Canadian Northern Pacific railway. He knows very well that that company requires communication in all directions, and it does not make any difference whether the scheme is promoted by Americans or Canadians or any one else. We cannot have too many roads in that country. If this government is willing and ready to subsidize a road of this kind, why should he object? The company would not build unless they saw some chance of doing business, and that it was going to be a benefit to the country.

Hon. Mr. DANDURAND—I do not understand that the argument of my hon. friend from British Columbia tends to that conclusion. If I am not mistaken, and if I understood his argument, and I think I did, it seemed to be clear that he complained that the rates would not be fixed by the Railway Board of Canada, nor the standard of the road; that the company being a provincial company, would remain under the Railway Act of the province and would not fall under the jurisdiction of the Railway Board. I think that is the long and the short of his argument.

The motion was agreed to and the Bill was read the second and third times and passed.

IMPROVEMENT OF HIGHWAYS BILL.

CONSIDERATION OF COMMONS AMENDMENTS.

Hon. Mr. LOUGHEED—I beg to move that the Senate doth not insist on its 4th and 7th amendments to Bill (77) entitled An act for the Improvement of Highways.

Hon. Mr. DANDURAND—Did I not understand that this would be taken up this evening?

Hon. Mr. LOUGHEED—I was going to point out that this was the only matter of business we have before us, and having moved this resolution, I presume that my hon. friend from Halifax will move in amendment that the Senate shall insist; then that will result in reasons being stated why the Senate insists upon its amendments, and a small committee might be appointed, as my hon. friend from Halifax will doubtless suggest, to prepare those reasons. Then, when the Senate meets tomorrow morning, those reasons would be ready and the whole matter might be taken up.

Hon. Mr. POWER—I have the honour to move in amendment, that the Senate do insist on their amendments, for reasons to be set forth later.

Hon. Mr. DANIEL—I would ask his hon. the Speaker if that is really an amendment to the motion?

Hon. Mr. LOUGHEED—The only way to get around that is that I might withdraw my motion and let my hon. friend move his motion.

Mon. Mr. POWER—The understanding was, I think, that a committee was to be appointed.

Hon. Mr. LOUGHEED—If my hon. friend will move his motion that the Senate do insist we will put it to a division. Then, in the event of its being carried, my hon. friend will move for the appointment of a committee. I presume, to prepare reasons.

The original motion was withdrawn, and the amendment was substituted as an original motion, and agreed to on a division.

Hon. Mr. POWER moved that Hon. Mr. Dandurand, Watson and the mover be a committee to report at the next sitting.

The motion was agreed to on a division.

BILLS INTRODUCED

Bill (149) An Act respecting Water in the Railway Belt and Peace River block of land.—Hon. Mr. Lougheed.

Bill (186) An Act to authorize the granting of subsidies to the government of the province of Ontario in aid of the Temiskaming and Northern Ontario Railway Company.—Hon. Mr. Lougheed.

Bill (189) An Act to aid the construction of the Canadian Northern Alberta Railway.—Hon. Mr. Loughed.

The Senate adjourned until 11 a.m. tomorrow.

THE SENATE.

SATURDAY, March 30, 1912.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and Routine Proceedings.

IMPROVEMENT OF HIGHWAYS BILL.

MESSAGE FROM COMMITTEE CONSIDERED.

Hon. Mr. POWER, from the Committee appointed to prepare reasons for the Senate adhering to the amendments made by the Senate to Bill (77) An Act to encourage and assist the improvement of Highways, presented their report. He said: As the report is in manuscript, it may be more convenient that I should read it to the House. It is as follows:

The Honourable Mr. Power, from the Committee appointed to prepare the reasons of the Senate for insisting on its amendments to No. 4 and 7 of Bill (77) intituled: 'An Act to encourage and assist the Improvement of Highways,' presented the following report:—

Ordered, That it be received, and

The same was then read by the Clerk, and it is as follows:—

That the Senate adheres to its fourth amendment to the Bill sent up from the House of Commons and intituled: 'An Act to encourage and assist the Improvement of Highways," for the following, amongst other reasons:—

1. Because the right of the Senate to amend a Bill is not impaired by the proceedings which may have taken place during the progress of the Bill through the Commons.

2. Because the amendments made by the Senate to the third clause of the Bill and accepted by the House of Commons provide that the grant in aid of highways shall be paid to the several provinces of the Dominion, instead of to any province as was provided by the clause in its original form; and the subclause 2, proposed by the Senate, indicates the reasonable principle upon which such payments should be made;

3. Because the method of distribution provided for by the sad fourth amendment is that announced by members of the administration in the Senate and House of Commons as contemplated and has been actually adopted in the supplementary estimates for the ensuing year.

4. Because the Bill undertakes to make certain perminent provisions as to the aid to be given to the construction and improvement of highways in the several provinces; and it is only reasonable that the principle or equal distribution in proportion to population recognized by the present administration should be permanently secured by enactment in the Bill, as otherwise, if this principle were abandoned in future the Senate would have no other recourse than to reject the Supply Bill.

5 Because, if the principle upon which the apportionment of such grant is to be made is fixed by a permanent enactment, the task of deciding upon items to be inserted in the Supply Bill will be simplified; and

6. Because the administration of the day, by adopting the principle of the said fourth amendment for the ensuing fiscal year, have indicated that it is neither unnecessary nor undesirable.

That the Senate adheres to its seventh amendment, for the following, among other reasos:—

1. Because section 6 of the Bill empowers the Minister to undertake the construction or improvement of highways in any province, which would be a contravention of the letter and spirit of the British North America Act, 1867, and of the uniform practice under that Aca, for which contravention no sufficient cause has been shown.

2. Because the said amendment affirms in effect that it is undesirable that the Minister or the Dominion government should usurp the rights and functions of the provincial administrations in the building and maintenance of highways and bridges.

3. Because the said amendment will not unduly hamper the administration in carrying the funds placed in the Estimates for that object; sufficient provision being made in earlier clauses of the Bill for co-operation between the federal and provincial governments.

L. G. POWER,
Chairman.

I move that this report be now concurred in.

Hon. Mr. LOUGHEED—I would regard it as entirely unnecessary to again discuss this matter, inasmuch as it was so fully debated that anything that might be said upon it now would probably not contribute in any sense towards an adjustment of the differences between the two Houses. Owing to the fact that the Commons has refused to accept the amendments of the Senate, and has disagreed thereto, it seems to me to be almost a work of supererogation, so to speak, to again go back to the Commons and ask them to agree on an amendment to which they have already dissented. I regret very much the majority have seen fit to amend the Bill to the extent mentioned, as the apprehensions which I intimated in the discussion will probably be realized in the defeat of the Bill. The Commons seems to have taken very strong grounds upon the subject, and I, therefore, do not intend to go into the merits of the question, except to say that I certainly am in favour of the Senate not insisting upon its amendments. I think it would be in the public interest that we should accept the message of the Commons, they having signified their agreement to certain of the amendments, which embody to the fullest extent, in my judgment, the principle laid down by my hon. friend from Halifax. I entirely disagree with the report of the committee, and I think it desirable we should dispose of the matter at once by having a division thereupon.

Hon. Mr. DANDURAND—I regret very much the announcement which the hon. the leader of this House makes, that possibly the declaration of this Chamber, that it will stand by its amendment, may have the effect of the Bill being withdrawn. I regret it all the more that it seems to me, and to the majority of this Chamber, that there is no cause for disagreement with the House of Commons on the subject. The facts recited, and the reasons given for maintaining these amendments are absolutely incontrovertible. It is affirmed that the policy of the present administration, as expressed by the leader of this administration, and as represented in this Chamber, will not be thwarted or hampered in the least by these amendments. When the original Bill is set side by side with the Bill as amended to-day, it will be the conviction of all unbiased minds that there is no cause for the refusal of the Commons to join with the Senate in passing this Bill. The measure has been discussed considerably, but there is one point that I would like to emphasize. It has been stated in the other Chamber that there seemed to be some inconsistency in the policy followed in this Chamber on this Bill and on the Bill giving aid to agriculture. The Bill giving aid to agriculture does not at all pretend to invade the field allowed the provinces by the constitution; agriculture is one of the things with which the federal government can deal without any restraint whatever. The federal government pretends not to offer by that Bill aid to agriculture by voting money to the provinces under certain conditions, which money it could expend directly. I stated in the discussion we had on that Bill that I saw nothing in the constitution which bound the federal authorities to maintain an equality in expending money, as between the provinces, based on population. Seeing no such principle in the constitution I did not feel like hampering the federal authorities in spending that money through the provinces when it could itself do so with absolute freedom, without regard to population and in the manner they thought best in the general interest of the country. The construction of highways is a provincial matter which devolves on the provinces under the constitution and the help which is given to local works in the province is a help which constitutes an absolutely new departure and which is contrary to the spirit of the federal compact. That being so, it seems to me that it appertains to this Chamber to safeguard the principle that the money shall be spent and distributed throughout the country according to the population of each province. One of the reasons given in the other Chamber for their refusal to agree to our amendment is that the government has shown that it intended to carry out that principle, or policy, in the Supply Bill, by distributing that money according to population. So far, so good, and nobody in this House, as

far as my recollection goes, has questioned the good faith of the present administration. It has been added in the other Chamber that there would always be a check on the government, if they did not follow that policy, because a demand would have to be made yearly for the grant and, if there was a deviation from it, it was for parliament to approve or disapprove. The answer which is made to this argument is that if this enactment is not in the Bill there will remain no other way for this Chamber to dissent from any future administration, which would try and apply a different policy, but to reject the Supply Bill. This is an extreme measure which the Senate does not want to put itself in the position of adopting, and for that reason it simply informs the present administration that they approve of its policy, and they want to insure its continuation. For these reasons I support the motion of the hon. gentleman from Halifax asking that the report be now adopted.

Hon. Mr. BELCOURT—It would be very regrettable, indeed, if the government of the day were to conclude that this Bill is not to be enforced, but that it is to be dropped because of a difference of opinion between the two Houses. I think that the situation may be well and justly put in this way: On the one hand there is a desire to assert the supremacy of one Chamber, and on the other a desire to support the position taken by the other based on absolutely sound logic and absolutely good reasons. I appeal to my hon. friend, the leader of this House, and I ask him if the reason given for the attitude of the majority in this House is not one that is in every respect logical. There is absolutely nothing there, as pointed out in the reasons, that will hamper the government in the administration of the moneys to be voted in the Supply Bill. I have read the discussion in the other House and have failed to find, and our hon. friend has failed to give us, any good reason why the Commons should insist on refusing to adopt the fourth amendment made by this House to the Bill. The one reason given is that it is the intention of the government to apportion this money in accordance with the principle which we have laid down in the amendment which is objected to. The majority in this House are justified in saying that if we give way to the House of Commons we will be giving way to merely a desire on the part of that House to assert its supremacy over this Chamber, because on our side we have every good reason, we have logic, and common-sense, and we have embodied in the Bill a provision which merely carries out what the expressed intent of the government of the day is. So you have, on the one hand, so far the the House of Commons is concerned, an assertion of supremacy over this Chamber, and on the part of this House a stand based on logic. So if this House gives way, it is not because the reasons we have furnished do not amply justify the position we have taken, but because the House of Commons wishes to assert a supremacy over this Chamber. I submit that the majority of this House would not be doing its duty to the country or to itself if it did not insist upon the position it has taken. There was another reason given in the other House why the majority in the Senate was said to have been inconsistent, because of the manner in which it dealt with this Bill, on the one hand, and with the Bill in aid of agriculture on the other hand. My hon. friend from De Lorimier (Hon. Mr. Dandurand) has already pointed out that there is no contradiction, for the reasons he gave. I may be permitted to remind the House that the majority of this House did not support the principle that aid to agriculture should be divided according to the population, not only because of the reason mentioned by the hon. gentleman from De Lorimier, because agriculture is within the jurisdiction of this parliament, but because I and others expressed the opinion that funds in aid of agriculture should not be distributed according to population. I distinctly took the ground, and I think quite a number of gentlemen agreed with me, that when you are dealing with agriculture it would be quite proper not to divide the money according to the population of the several provinces, because, as I pointed out, there are several provinces which are essentially agricultural provinces, while others are less so. I take it for granted—and I think I am perfectly correct in saying—that an amendment

similar to the amendment in the Highways Bill was not made to the Bill regarding agriculture because of that very reason. So that the principle which we applied to the Bill concerning highways was one which the majority of this House did not think applicable to the other subject, aid to agriculture. I submit it would be very improper, and not to be accepted on the part of the majority of this House, that we should retract the amendments which were made to the Bill under consideration simply because the other House wishes to assert its supremacy in a matter of this sort. We have, on our side, good sound logic. Why should we give way? There is absolutely no good reason given for the stand taken by the other House, and I think the Senate owes it to itself to insist on the amendment.

Hon. Mr. BEIQUE—I propose to support the report for the reasons which are mentioned therein, which to my mind are unanswerable, and for the additional reason that any aid given to the provinces by way of subsidy—and I take it to be such in the present case—should be distributed equally, and equally means according to population, unless special cause be shown to do otherwise. When we have to deal with a Bill which, in fact, gives a permanent mandate to the government to distribute aid of that kind by way of subsidy, and for all time to come, so to speak, I think it is our duty to see that the principle is applied, unless the government is ready to show cause to the contrary. No cause to the contrary has been shown. On the other hand, it has been stated by the present administration that their intention is to distribute this money in the manner which is embodied in the amendment adopted by the Senate. Therefore, I have no hesitation whatever in supporting the report, and I think it should be adopted unanimously by this House.

The House divided on the motion, which was adopted on the following division.

Contents, 29; non-contents, 9.

The report was adopted.

TAXATION AND TRADE RELATIONS.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. KERR, in the absence of Hon. Mr. Edwards, moved the adoption of the report.

Hon. Mr. BELL—I am a member of the committee which has just reported, and I find it impossible to concur in the report as presented. I particularly resent the proposition that this evidence should be printed at this time. I agree with the report in so far as it says that no time was given the committee to make a proper inquiry or to digest the evidence, and therefor I see no reason why it should be printed and 3,200 copies distributed. The evidence is absolutely ex-parte, and to an extreme degree the evidence submitted was that of selected witnesses who held most extreme views on some of the subjects the committee was appointed to inquire into, while on other subjects no inquiry whatever has been made. I most emphatically dissent from the proposition to print this extreme partisan evidence on a portion of the subject matter submitted to the committee.

Hon. Mr. CLORAN—Were the extreme views right or wrong?

Hon. Mr. BELL—I have already said that I concur with the report in so far as that we did not have sufficient time to digest the evidence, therefore my hon. friend will see that it would not become me to express an opinion.

Hon. Mr. DANDURAND—That is their own conclusion as to the report.

Hon. Mr. BELL—Yes, and I object to the printing of the evidence, because it is absolutely ex-parte and most extreme. It means the sending out of statements which are exceedingly partisan and were secured by the activity of the chairman of the committee, and I entirely object to sending such matter broadcast to the people of Canada.

Hon. Mr. CASGRAIN—You must not impute any motives to the chairman of the committee.

Hon. Mr. CLORAN—If the evidence which has been taken before the committee is as extreme as the criticism of it, then I should say it would not be worthy of printing.

Hon. Mr. BELL—Hear, hear.

Hon. Mr. CLORAN—I am afraid, however, the cap is on the wrong horn. I think the criticism of the hon. member is most extreme, and therefore the evidence must be worthy of printing to find out who is right and who is wrong. We now have his views on 'Hansard,' and the men who gave evidence will be said to be men who did not know what they were talking about. I had no idea of supporting this motion, but I will support it for that very reason, so as to have the evidence printed and find out who is right in the matter.

Hon. Mr. TAYLOR—I was a member of this committee, but, owing to the meetings of other important committees held at the same time, I was not able to be present at many of its meetings. I was present this morning when the chairman read the report which he intended to present to the House, and I objected to one word in that report, where the Chairman said 'A lot of valuable information.' I contended the word 'valuable' should not appear in the report. I also objected to paying witnesses who were coming here especially for the purpose of promoting the Grain Bill.

Hon. Mr. BELCOURT—That was a government Bill.

Hon. Mr. TAYLOR—They were telegraphed for and their expenses were supposed to be paid. All the secretaries of the Grain Growers Association of the west appeared, and it is principally their evidence which was submitted to the committee, as far as I heard, and I did not consider it especially valuable.

Hon. Mr. BELCOURT—Who is going to be the judge?

Hon. Mr. TAYLOR—I am one of the judges on the committee.

Hon. Mr. BELCOURT—What about the public?

Hon. Mr. TAYLOR—I object to the word 'valuable' appearing in the report. I say that it is not 'valuable' information, and I object to its being printed until all the evidence is taken and it can be printed in a pamphlet by itself and distributed. I am sure that if I had had an opportunity of calling a few witnesses from my constituency the evidence would be quite different from that which is proposed now to be printed. The evidence should all be printed after the evidence on both sides has been heard.

Hon. Mr. YOUNG—I am sure the hon. gentleman who has just resumed his seat would not wish to be unfair to witnesses who were examined by that committee. It so happened that a measure in which they were interested was being discussed at the time they were here, and therefore they did, no doubt, busy themselves to endeavour to have the measure moulded to suit their views; but it was clearly brought out and stated in the committee that, while some of these gentlemen were coming to Ottawa anyway on a mission mentioned by my hon. friend, others, belonging to the same organization distinctly and positively stated that they were not coming to Ottawa on any such mission, and had no intention whatever of coming until the receipt of the summons to appear before the committee.

Hon. Mr. TAYLOR—The other members of the committee ought to have known they were to be summoned.

Hon. Mr. YOUNG—I should fancy the committee did not know what the movements of these gentlemen in the west would be, and if, in the coincidence of having the measure here under their consideration, they devoted some time to it, it is no reflection, and should not be a reflection on the witnesses. As to the statement by the hon. gentleman from Pictou (Hon. Mr. Bell) that the evidence has been practically all on one side of the question so far, I want to remind the hon. gentleman that the door was wide open, short though the time was, for either of those gentlemen who have spoken on the other side to have had some witnesses here to be

examined, but, apparently, they did not have them there. The committee would have gladly heard them. As to the printing, there has been enough said now to lead me to think the House would desire to read the evidence, so as to see whether it is of that extreme character which my hon. friend suggests. It is printed in galley form, it is not voluminous, and the printing of it in a pamphlet will make it valuable for hon. gentlemen who wish to rebut that evidence on some future occasion, if they see fit. There is a clause in the report recommending that a committee be appointed next year having the same object. Of course we cannot bind the House to next session, but should the House then hold the same views they did this session on this important subject, I have no doubt whatever that a committee, having the same object in view, will be appointed; then both sides of the question will no doubt be presented to the House, and the public can judge the value of the evidence from its perusal.

Hon. Mr. POWER—I sympathize to a considerable extent with the feeling expressed by the hon. gentleman from Pictou (Hon. Mr. Bell) and Leeds (Hon. Mr. Taylor). As far as I understand it, the position is that the witnesses, whose testimony is under consideration, were gentlemen who took one view of the question, and took that view very decidedly; then it does not seem on the face of it altogether fair that this evidence should go before the public without anything being said on the other side. However, there is just this to be said on the other side of the question, that this evidence has been, as I understand it, already printed, and the intention evidently is—an intention which would be carried out by the Senate I presume next session—to reappoint this committee, or another committee, for the purpose of considering this question. Then, if something is not done to preserve the records of the evidence taken this session, that work will have to be done over again, which is not desirable, or that evidence will not be available and it is desirable that what can be said on both sides of the question should be available. On the whole, inasmuch as no very serious harm is likely to follow from the printing of this evidence, I am disposed to vote for the report, but I see the objection that exists in the minds of some hon. gentlemen to its being printed.

Hon. Mr. LOUGHEED—The Senate has a reputation for possessing peculiar qualifications for making disinterested investigations into a public subject, and when this proposal to investigate the question referred to was before the Senate, it was thought that both sides of this very important question would be not only submitted to the Senate, but whatever publication was made to the public would be a representation or presentation of both sides of the case. When this question came before the Senate, my recollection is that the resolution moved by the hon. gentleman from Russell (Hon. Mr. Edwards) was amended to read: 'And also into the gain or loss sustained by the failure to secure access to the markets of the United States,' showing that both sides of this question were to be fully investigated and reported upon. Now what do we find? We find in this report a proposal to bring down to this Chamber a representation made by men who hold extreme views upon this question, some of whose utterances are nothing short of being revolutionary. I venture to say that moderate minded men, reading the statement of some of the men before this committee as to the condition of affairs in the Northwest, would regard that country as being in a state of revolution. Is it desirable that that presentation of the case shall be printed and distributed, not only to the people of Canada but to the people of this continent? I do not wish to state that the publication of 3,000 copies of this report, which is not only a one-sided report, but a report of the evidence of men who hold extreme views upon this subject, will be used for political purposes, but I think it undoubtedly will. I do not wish to say that this Senate will be a party to publishing literature which will be circulated throughout the length and breadth of the Northwest for political purposes, but I say the result of the publication of 3,000 copies of this report, which is incomplete, and which is unintelligible on account of its incompleteness, will be used for extreme political

partisan purposes and published in the various journals of the Northwest Territories. Is it not fair to both sides in this Senate that every opportunity should be given to investigate impartially this very important question? Is advantage to be taken because we have reached the close of the session and an opportunity has not been given to the gentlemen who represents this side of the House on that committee? It would look very much like it. My hon. friend from Pictou (Hon. Mr. Bell) has told me that these witnesses that were brought here and examined were brought before the committee without his knowledge, and without the knowledge of the committee so far as he is aware. An opportunity has not been given to this side of the House to summons witnesses for the purpose of giving their testimony on the other side of the question.

Hon. Mr. TALBOT—Did the members of that committee from the government side of the House request that any witnesses should be heard?

Hon. Mr. LOUGHEED—I know that they have been preparing names. My hon. friend from Bedford (Hon. Mr. Pope) is not present, but he submitted to me certain names that he proposed having called before the committee. This was not done owing to the fact that it was not an opportune time because the committee was laden with witnesses who, if they had been brought here, could not have been examined. The time of the committee was occupied in hearing evidence of witnesses who were here, and the House sitting, and it was not thought advisable to bring the other witnesses here. They are men of responsibility and business obligation and they could not well afford to kick their heels about the corridors of parliament waiting an opportune time for examination If the reputation of this Senate for investigation which will have weight with the public is to be maintained, it can only be maintained by playing this game fairly. I say that unhesitatingly.

Hon. Mr. DANIEL—Hear, hear.

Hon. Mr. LOUGHEED—I can view with much liberality and much generosity any advantage which may be taken, legitimately, by one's opponent as to maintaining his political ground, but there is a line which should not be crossed. I say in this case we have reached the line which should not be crossed, and with the view of maintaining the reputation of the Senate this evidence should not receive publicity until both sides of the case have been heard.

Hon. Mr. DANDURAND—There is one difficulty in my mind which can perhaps be solved by some members of the committee. Can the matter that is now in type, in galley form, remain as it is until the next session? If not, would it not be better to have a certain fixed number printed and an order given that it be not distributed until further evidence shall be taken?

Hon. Mr. LOUGHEED—I do not object to that.

Hon. Mr. KERR—In presenting this report I did so on behalf of the chairman. I do not think there is any member of the Senate who will for one moment insinuate or impune the character of the hon. gentleman who is chairman of this committee. No member of this Senate would suggest that he would desire or have any intention of doing anything unfair in discharging his duty. No one would suggest that he would not play the game fair. He is not one who hits below the belt, and he is one who is willing and open to hear fair arguments. Reluctantly I said I would present the report in his absence. This committee was appointed rather late in the session.

The SPEAKER—I would remind the hon. gentleman that we are not in committee.

Hon. Mr. LOUGHEED—I hope the House will hear my hon. friend.

The SPEAKER—I have known cases where members were prevented from speaking twice.

Hon. Mr. KERR—I was just about to say one or two things about the matter which should be said at this time. In the first place, the committee was appointed and organized very late in the session. It was felt, however, as the committee had been appointed that it was their duty to try

and proceed with the work. Their first meeting proved to be abortive. Many members of the committee did not attend, and in the absence of gentlemen representing the other side of the question, it was thought unwise to make any attempt to proceed. Then arrangements were made by which witnesses could be secured, and they were examined. There was no intention whatever, in doing that, of shutting out any other evidence that might be offered, and, so far as I am aware, no member of the committee requested that any other witnesses than those who were examined should be called. I do not say that it was not expected that others would not be examined, but I do say there is nothing partial about this report in the fact that those witnesses whose names appear in the report were the only ones examined. It is a fact that no other witnesses were suggested for the meetings which were held, although it was well known that there would be other witnesses examined. When this report was adopted for presentation here, this question was discussed and it was suggested that the report should be printed now, in the first place because it is, in fact, in type, the galleys are up, and if they are distributed it will involve additional expense; in the second place, because there is no recommendation and there are no comments in the report with reference to the evidence. It is a mere report of that evidence, and the report shows that more evidence will have to be taken. Therefore, it is a mere interim report of the evidence so far taken. In the next place, it is suggested that if any one should take exception to the report because it is one-sided, the answer is that it shows the kind of evidence that is wanted, and will be just as much an aid to those who are calling for evidence to rebut it, as in its favour. The idea was that a certain number of copies should be presented to each member of the Senate and of the Commons, and a considerable number to the department. Under all the circumstances, it was determined that we should recommend the printing of the report.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has informed the Senate that all this evidence is in galley form. That means that the expense of setting the type has been incurred.

Hon. Mr. KERR—Yes.

Hon. Sir MACKENZIE BOWELL—By whose authority was that expense incurred?

Hon Mr. KERR—On the authority of the resolution appointing the committee.

Hon. Mr. THOMPSON—And authorizing them to spend $1,000.

Hon. Mr. DANDURAND—I would suggest that this matter be suspended until the afternoon sitting so that my hon. friend might consider accepting a slight amendment on the lines I have suggested, so that the matter may be printed, but not distributed. If that is the consensus of opinion, we would save time by suspending the examination of this report.

Hon. Mr. BOSTOCK—I rise, as a member of that committee, to state what I know about this matter; as an imputation has been put upon the committee. At the first meeting the question was discussed as to who should be called as witnesses, and how we should start in the matter. It was decided that we should begin by trying to get witnesses here from the province of British Columbia. I myself proposed that the members for Victoria, New Westminster, and Kootenay should be asked to attend, and I also stated that there was a gentleman from Vancouver at that time in the city who, I thought, could give valuable information before the committee. It was arranged that these gentlemen should be the first witnesses called, and the clerk was instructed to call them. The first time there was some mistake made, and those gentlemen did not appear. The second time they were asked to appear before the committee I took the trouble myself to go and see the member for Kootenay, and he promised me that, if possible, he would come over. Of course, we had no means of compelling him to attend. He did not turn up, and I suppose he was prevented. I tried to see the member for New Westminster, but was not able to find him, and I understood that he was leaving for

British Columbia the next day, and was unable to come, and that the hon. member for Victoria had left for England. So an opportunity was given to gentlemen who, I think hon. gentlemen of this House will agree, would not hold the same views as those expressed by the gentlemen who were examined before the committee.

Hon. Mr. CLORAN—Were they Liberal members?

Hon. Mr. BOSTOCK—There are no Liberal members from British Columbia. Therefore, I think the imputation on the acting Chairman was not fair. With regard to the printing of the report, I think the opinion expressed by the hon. member from De Lorimier is good.

Hon. Mr. BELCOURT—For my part I confess I am a little diffident about voting for the distribution of this literature without both sides being heard. I suppose it is because I am a lawyer that I dislike to have one side of the case only presented to a jury. Why not print simply the number of copies required for the members of the two Houses?

Hon. Mr. YOUNG—That is all that was intended, ten copies for each member.

Hon. Mr. BELCOURT—It is not necessary to print 3,300 copies. It makes just this difference, that in printing just the number of copies required for this House and the Commons you get away from the charge of trying to distribute one-sided information.

Hon. Mr. CLORAN—The leader of the House asked this side of the House to play the game fairly. I can tell him straight from here that I play the game no other way. There is no unfairness in the report, and the hon. gentleman's appeal to this side of the House to play the game fair, if it went broadcast, as it will go in the debates, would create the impression that we are playing the game unfairly. I, for one, would not be a party to a game of that kind. On the other hand, I ask the hon. leader, who is so punctilious on that point in regard to a very small matter, to play fair with the parliament of Canada, and bring down very important measures involving very large expenditures earlier in the session, so that we may be able to play the game fairly, even if losingly. That is what the hon. gentleman should insist upon with his colleagues—bring down the very important measures such as we have had the past three or four days, important not merely from a federal point of view but from a local and provincial point of view, earlier in the session. We have to deal with measures here involving millions, some of which are not even before us in print. Now is that playing the game fair? I say it is not; so that when the hon. leader of the House asks us to play the game fair in a small matter of this kind, he should look to his own side and demand fair-play in more important matters.

Rt. Hon. Sir RICHARD CARTWRIGHT—I had not the advantage of hearing the preliminary discussion, but I would just say to my hon. friend opposite that I entirely agree with him that the Senate ought to preserve a reasonable impartiality in dealing with all these matters. I have just looked over the report, and find that it does not offer any conclusion whatever. There is not a single suggestion in it, not a line to which my hon. friend can possibly take exception, nor do I understand that he has taken exception; all he takes exception to is that such evidence as has been received should be printed. Whether ten copies per head is too many or too few is an open and not a very important question; but I must tell him that it is proper that this evidence should be placed in a correct form in the hands, at all events, of the House of Commons and of this body, for this reason—garbled reports of this, to my certain knowledge, have been very extensively circulated in the papers on both sides. Now it is not desirable that a garbled report of the evidence given should go forth. Let the evidence be printed as it was given before the committee; I think that is perfectly fair. I do not think he need be very much afraid, judging from my own experience, of any of us at this particular time reading through the very voluminous evidence that has been taken. Undoubtedly a correct statement of the evi-

dence, so far as it has gone, should be in the hands of parliament. More than that I would not ask for.

Hon. Sir MACKENZIE BOWELL—To my mind, the suggestion made by the hon. member for Ottawa (Hon. Mr. Belcourt), although it may not be concurred in by the House, ought to be acceptable, if only to avoid what may possibly occur, as has been intimated to me, that certain senators propose to read the whole of the evidence taken by the committee in the House so that it may appear in the debates. That would be very interesting to those who were not present, but apart from that, we might amend the report so as to place the evidence in the hands of every senator and every member of the House of Commons, who will have to decide upon the question.

But what is objected to is this: That you should examine a number of witnesses, knowing very well, as we all know, what the character of that evidence would be, because the parties who were present from the west had come to Ottawa for a special purpose in connection with the Grain Bill, claiming certain changes and certain alterations. It was suggested that these gentlemen should be examined before this committee in order to give their evidence as to what would be the result of the adoption of reciprocity as it was laid before the public. I am not going to impute any motives to the Chairman of that committee; we all know what his views are politically upon that question; we all know his character as a private gentleman. I do not believe that there is a man in the Senate who knows that gentleman who would impute an improper motive to him, but to say that he was not desirous of having evidence upon certain questions upon which he holds very strong views would be to do him a wrong. We all have strong views upon certain questions. He has them, and so have others of us, and in the enforcement of them, trying to convince the world he was right, the presence of those gentlemen in the city at the time was taken advantage of in order to get their views as to what they considered the prevailing opinion of the west upon this great question. I do not object to that, but I do object that that evidence should be sent out to the world without any evidence to controvert it by those who hold different views and who look upon the question from a different standpoint. Let me ask my legal friends what would be thought of a judge submitting a question for the consideration of the jury when only one side of the case had been heard? That is this case exactly. The report itself says there was not sufficient time given to the subject, nor was there sufficient time at their disposal to examine witnesses who were supposed to hold different views from the gentlemen who gave evidence. That is the condition. Print it if you like and let every member of the Senate and House of Commons have copies of the evidence to ponder over during recess, but you have no right to send that to the jury of the public before having the evidence on the other side taken. It seems to me that to adopt the report with the intention of circulating to the whole country one side of the evidence before the other is heard is extremely unfair. It is unfair to those who hold different views, and it leaves a false impression upon many people who will read that report without hearing the other side.

Hon. Mr. TALBOT—I want to assure the hon. member from Belleville (Hon. Sir Mackenzie Bowell) that is was not the wish or desire of any member of that committee to have this evidence, that was given before the committee, circulated broadcast. All that was requested was, that the evidence should be printed in sufficient numbers to be distributed among members of this House and members of the House of Commons, with a few copies for the Department of Trade and Commerce. I happen to have the evidence here, and I suppose I am within my rights, if I ask the privilege of reading it, but I do not wish to take up the time of the House; you will agree with me, I think, that I have not in the past, been given to that offence If, however, the suggestion of the hon. member from Belleville, (Hon. Sir Mackenzie Bowell) is carried out that a few

copies of this be printed then I shall not ask to read the evidence. It would take me from now till one o'clock, from three until six, and, possibly, from eight until ten, before I would get through the whole of this evidence, because it is in the form of questions and answers.

Hon. Sir MACKENZIE BOWELL—We will send and get some pillows and have a sleep while you are at it.

Hon. Mr. TALBOT—If the leader of the House will consent to publishing some copies of the report, I will not read it.

Hon. Mr. LOUGHEED—What is the proposition my hon. friend makes?

Hon. Mr. YOUNG—Five or ten copies to each member; the report asked for ten copies for each member.

Mr. McMILLAN—I would suggest that he read that evidence, and we can stay here till the end of next week.

The SPEAKER—The report concludes by asking for the publication and printing of that document.

Hon. Mr. YOUNG—No.

The SPEAKER—Is not that the right of the Joint Committee of the two Houses? Why should this House take upon itself to order that printing without the authority of the other House?

Hon. Mr. YOUNG—The report points out that at this late date in the session it is not possible to have that done.

The SPEAKER—This House has no right to have the document published, when it should be referred to the Joint Committee.

Hon. Mr. TALBOT—I have not given up the floor of the House.

Hon. Mr. LOUGHEED—My hon. friend asked me a question, and he does not seem to appreciate the point I sought to make; that immediately one copy received publicity, the whole press of Canada has it in their possession, and have the right to publish it. This committee has expended upon these witnesses the whole of the appropriation, with the exception of $75, and I ask if it is playing the game fair at this time, that that committee, having exhausted practically the whole of the grant, with the exception of $75, which will be insufficient to print the document, should have this printed and circulated to the whole world, leaving no resources for the calling of witnesses on the other side.

Hon. Mr. YOUNG—That is not the intention.

Hon. Mr. LOUGHEED—We must judge of intentions by results.

Hon. Mr. YOUNG—Will you consent to one copy for each member?

Hon. Mr. LOUGHEED—I have nothing to say about it.

Hon. Mr. CLORAN—Put it on the 'Hansard.'

Hon. Mr. TALBOT—Will the House accept this as read:

Committee on Taxation and Trade relations, committee room No. 43, Tuesday, March 26, 1912. The committee met at 10 a.m., E. J. Fream called and examined. By the Chairman:

Hon. Mr. BELL—Has my hon. friend commenced at the beginning of the meetings?

Hon. Mr. TALBOT—I am reading the evidence of this man Fream.

Hon. Mr. TAYLOR—We want it all read; start at the beginning.

Hon. Mr. DANDURAND—I am ready to vote on the report now.

Hon. Mr. BELL—I think the hon. gentleman should commence at the beginning and read it all.

The SPEAKER—I call the attention of the House that the rules must be observed. No member can speak more than once on this subject; we are not in committee.

Rt. Hon. Sir RICHARD CARTWRIGHT—I beg to call attention to the fact that we have allowed all kinds of departures from the established rules, and we have allowed an enormous number of government Bills

to be put through, occupying only five minutes on some of them, which, under ordinary circumstances, would require three or four days. Under these circumstances it is only fair and reasonable that due latitude should be allowed to members; if that is refused we will know how to assert the right of the Senate to full discussion.

The SPEAKER—I will call the right hon. gentleman's attention to the fact that the rules have been suspended in so far as they relate to these Bills.

Hon. Mr. WATSON—Surely we can vote on the printing of this without having it read.

Hon. Mr. LOUGHEED—Nobody is standing in your way.

Hon. Mr. TAYLOR—I rise to a point of order. If the hon. gentleman proposes reading the evidence in order to have it on 'Hansard,' he must begin at the beginning.

Hon. Mr. YOUNG—He can begin just where he likes.

Hon. Mr. TALBOT—I think I have the right to begin at this point. Two or three of the members of that committee were putting most absurd questions to the witnesses and presenting ideas that prevail in certain parts of the country. I want to place before the whole country the idea that prevailed in western Canada.

Hon. Mr. TAYLOR—With some people.

Hon. Mr. TALBOT—There is no doubt that the people of western Canada, at the present time, feel that they have a grievance and they want to get that grievance before the people of the country, and these hon. gentlemen object to hearing what these men have to say.

Hon. Mr. TAYLOR—You want the country to pay their expenses?

Hon. Mr. TALBOT—I am not sure how they were brought down here, but I believe it was in accordance with rules and order; I think the order was passed by the committee. There was considerable trouble getting the committee together and the minority members of the committee were very negligent in the matter of obtaining witnesses. The committee desired to have witnesses from British Columbia; the minority insisted on having a quorum on every occasion, and caused all the trouble possible. I do not wish to read this evidence to the House, it will certainly take a few hours, but I will have to insist upon my right in that respect, unless I am assured that there will be a certain number of copies printed, because I am determined it shall go before the people of this country.

Hon. Mr. LOUGHEED—I would suggest that we vote on the report.

Hon. Mr. WATSON—We had better dispose of the matter by voting on the report. It was suggested at the first meeting that the committee should start at Manitoba, then take Saskatchewan, Alberta and British Columbia. It was suggested by hon. gentlemen opposite they should start at British Columbia and come east. Surely hon. gentlemen opposite could not complain when the committee decided to take evidence starting at British Columbia, because the representatives of British Columbia in the House of Commons are all Conservatives. Surely hon. gentlemen could not be adverse to hearing their evidence. The hon. gentleman from British Columbia endeavoured to have those gentlemen appear before the committee and give evidence, but could not procure them. Then they came to Alberta. The interests of Alberta were represented by George Lane, one of the largest stock-breeders in Canada, a large land owner, a mixed farmer, owning the largest herd of high class horses in America and having several thousand cattle and sheep. He was subpœnaed to give evidence, appeared before the committee and stated his views, and I am sure from what I have heard that it will be very valuable evidence for the people of Canada. His evidence related not only to the operation of reciprocity and the tariff, but to the way of conducting the particular business in which he is engaged in the Northwest. Who should be selected next? Unrepresentative men? Politicians? No. Will our friends tell us the evidence given by the representatives

of the grain growers of the west, from Alberta, Saskatchewan and Manitoba, should not be made public The governments in the past have ignored the evidence and statements made by the Northwest to such an extent that in 1885 it caused a rebellion. The public should know, and eastern politicians should understand and be educated by this evidence which has been adduced. I can quite appreciate the attitude of hon. gentlemen on the other side, because I think it would be impossible to get any level headed business man west of Lake Superior, regardless of politics, to give any evidence as to the effect of the defeat of reciprocity which would be at all at variance with the evidence given by the gentlemen who appeared before that committee. I do not think such witnesses could be secured west of Lake Superior.

Hon. Mr. POPE—We should like to try.

Hon. Mr. WATSON—The hon. gentleman had a chance to try.

Hon. Mr. POPE—No.

Hon. Mr. WATSON—He was a member of the committee and had a right to examine the witnesses. I do not think he will state to the House that those gentlemen came and made false statements which they could not back up with evidence. Therefore, I say that evidence should go to the public. If my hon. friend were given a chance he would say that the best men to examine on the reciprocity deal would be the manufacturers. They were not the people particularly interested in reciprocity. Reciprocity was to give free exchange of trade in natural products, and the proper people to examine were the producers of natural products in Canada, and those are the men who have been examined. I do not think the manufacturer of eastern Canada is in a proper condition to come before this committee with the duties that are given to them, to examine into the effects of reciprocity. Reciprocity would effect manufactured products to a little or no extent. The hon. gentleman from Russell (Hon. Mr. Edwards) as Chairman of that committee, took the right and proper course in calling the right men to give evidence as to the effect of the defeat of reciprocity for good or ill. I venture to say there are no two sides to that question as to the effect of reciprocity, either in cattle, horses or grain. I understand from the members of that committee that there is no conflict of opinion in the evidence given by the gentlemen who have been examined as to the loss to the Northwest in the defeat of reciprocity, and I say that we ought to have, at the earliest possible date, the evidence adduced by that committee printed and placed in the hands of members of the Senate and House of Commons.

Hon. Mr. POPE—I have been interested in the discussion which has taken place with reference to the committee. Permit me to say that this is the first time I was ever on a special committee of this character. I do not know what the custom and rule has been in the management and conduct of those committees, but our rulings have been very irregular, and the committee has been managed in a very unsatisfactory way. Perhaps it was unavoidable. For instance, we did not receive notice. As a rule I did not receive my notice until about half an hour after the meeting was over. I got my notice this morning after the committee had held its meeting. I asked the Chairman when we were going to have the closing meeting; I was anxious that the discussion that had taken place in this House might have been avoided and if it had been there would not be this detention of legislation in the Chamber. The Chairman did not know, or if he knew he did not choose to tell me; I presume he did not know. Therefore, I did not know there was a meeting of the committee on Taxation and Trade relations until I arrived at 11 a.m., when I heard this committee had been called for 10.30.

Hon. Mr. DANDURAND—The hon. gentleman is not an early riser.

Hon. Mr. POPE—Not this morning; I heard the birds sing before I went to bed, and I did not think it was necessary to rise and hear the rooster crow. With reference to calling these witnesses, when we had the first meeting of this committee the resolution upon which the committee

was based was read, and we decided then and there that the committee would resolve itself into three parts. The first part of the resolution deals with taxation, and the next with reciprocity, and the third with regard to trade between the provinces. We thought at that time that we should take up that resolution as it was printed, and deal with the first part first; that was the incidents and demands of taxation in Canada. We came to that decision, and we were sent home to incubate. We asked the chairman of the committee what that resolution meant, and he said, ' Well, I do not know.' We said, 'Did you not write it?' He replied, 'No, I did not write it,' and then he informed us that some hon. gentleman of the Senate prepared that resolution, I said to the chairman, 'I should think very likely, because I have never been in the Senate before, and I have never been in a place on earth where a similar resolution would be prepared,' and I accepted his version that it was prepared by a senator, and probably a very old senator at that. However, we took up this question seriously from a taxation point of view, wrote the chairman that we should consider the incidents and demands of taxation, and the cost of taxation from all the various sources from which taxes are gathered together in the Dominion of Canada, from the provinces, cities, villages and municipalities. To this he agreed, and sent out through the secretary, some invitations to the different organizations which collected taxes in Canada, in order that we might get that information. It dragged along; I met the chairman and said ' Are we going to have any meeting this year?' to which he replied, ' I do not know how we can very well. We will have to call a meeting to close up.' Then we had a meeting only three or four days before these gentlemen were to be examined in No. 8, and there was disappointment felt at these gentlemen not coming from British Columbia. We decided we were not able to obtain any witnesses to examine. Some of us suggested we would not meet again, and suggested making a report that we had sent out our inquiries on the first principles laid down in that resolution, and we would make that report. Another member said somebody might turn up to-morrow. What are the facts? The facts are that on the 15th day of March, more than a week previous to that, these gentlemen unknown to me, as far as I was a member of the committee, had sent messages and assumed the responsibility of bringing these gentlemen from the west. Whether Mr. Lane or Mr. Fream, or any other gentleman, is a good man or bad man, is a matter of indifference so far as this particular point is concerned. I say as a member of that committee I either was or was not entitled to be consulted with reference to bringing any particular witness or assuming any financial responsibility in connection with that committee. Otherwise what is the use of my being a member of the committee? You may call it a minority or a majority membership, what object is there in belonging to a committee if you are not going to be consulted on very important points of that kind. We had $1,000; it has been expended, as the hon. leader of the House has said, practically on this western side. I have no particular objection to that; I have no objection to those western members coming down here, and I would not be a bit afraid to make a finding on a good deal of that evidence given there, as far as politics are concerned; but it is not a question of politics, it is a question of fair-play to the members of this committee and the people of the country, to parliament and every one else, but when you are going to publish the results of the committee, you should publish the whole results, send them to the people and let them reach their own conclusion. When the hon. gentleman from Portage la Prairie says we cannot bring any evidence from the west against reciprocity, I desire to say he is very much mistaken. I have had names wired me from the west as soon as the report was sent out in the press, but there is no object. I did not understand we were to have a report. The Chairman did not tell me we were to make a report of the evidence of these people and have it printed and circulated in this country, and I want to enter my protest against the selection of witnesses without consulting the committee. It is not a question as to whether they are good or bad men, it is a question of

treating your committee fairly, and intelligently, and calling the committee together at half or three-quarters of an hour's notice is not a proper procedure. When the hon. gentleman said the minority prevented the committee from obtaining a quorum, I can tell him that half of that evidence was taken when there was not a quorum there. We did not prevent them from getting a quorum.

Hon. Mr. TALBOT—I rise to a point of order. A few moments ago, on the assurance of the hon. leader of the House that we would vote on the report of this committee, I sat down. I thought I was giving up my right of speaking again, understanding that a vote was to be taken, but I want to say if members of this committee are going to rise and take more time than I would have done in reading this report, I want to have my right reserved and handed back to me. If we are going to vote on the acceptance of this report we will vote on it, but if there are going to be speeches of hours' made it will be far better, and the House will receive far more information——

Hon. Sir MACKENZIE BOWELL—Mr. Speaker I desire——

The SPEAKER—Order.

Hon. Mr. POPE—This is another piece of evidence of the fairness of hon. gentlemen on the other side of the House.

The SPEAKER—A point of order has been taken. I do not understand it yet.

Hon. Mr. TALBOT—I was proposing to read the evidence taken before that committee, and the leader of the House said: 'We will vote on the adoption of the report.' I gave way and sat down. Then another speaker followed and the hon. gentleman from Compton (Hon. Mr. Pope) proposes going through the whole thing.

The SPEAKER—I understand the hon. gentleman to say that he took his seat because a promise was made that a vote would be taken.

Hon. Mr. TALBOT—Yes.

The SPEAKER—When?

Hon. Mr. TALBOT—At once.

The SPEAKER—I never heard it.

Hon. Mr. LOUGHEED—I merely said the difficulty could be overcome by voting on the report. If the report is carried it is published, and that dispenses with the reading of it, but I could not have said, 'A vote will now be taken,' because I have no authority.

Hon. Mr. TALBOT—Have I exhausted my right?

The SPEAKER—I do not think the point of order is well taken.

Hon. Mr. YOUNG—Does the hon gentleman assert seriously that several meetings were held with half an hour's notice?

Hon. Mr. POPE—As far as I am concerned.

Hon. Mr. YOUNG—That is another question.

Hon. Mr. POPE—I will assure my hon. friend that I am not going to keep him all day, and I am sorry he gets so nervous under fire. With reference to the method in which these gentlemen were brought from the west, I understand three or four of them, Mr. Wood, Mr. Fream, Mr. Meharg and Mr. McGraw, or whatever his name is, were brought down on the Grain Bill, and were on the way when the message was sent to them. They received the message when they were on the train. Mr. Green, I believe, was not coming down, he was out of town.

Hon. Mr. TALBOT—I know the hon gentleman does not intend to state what is not right, but Mr. Maharg, and some others whose names he mentioned were not summoned here and received no remuneration for attending.

Hon. Mr. POPE—The names that were given to me were, Messrs. Wood, Fream, McGraw and McKenzie, who came down on the Grain Bill. Mr. Lane came down specially at the invitation of the committee.

Hon. Mr. TALBOT—So did McKenzie and Green.

Hon. Mr. POPE—Are those three men the only men we are paying?

Hon. Mr. TALBOT—I think there were only four summoned here—so the Chairman told me. The others were down here with reference to the Grain Bill. That was the object of their coming here.

Hon. Mr. POPE—I should like to say, as a member of that committee, that when it was decided that these men should be sent for and this expense incurred, why should I not have been informed that they were summoned, when we had a meeting three or four days before they appeared; they had been summoned days before that; Why should I not have been notified, instead of the committee holding this closed door proceeding, as it were. I have watched the proceedings from beginning to end. Whether it is intentional or unintentional—I do not wish to impugn the character of any gentleman on that committee—I want to tell the House that the conduct of that committee has not been fair, has not been above board for many days. If the object was to get information on one side, and to carry out that object by printing the evidence and sending it broadcast to the people in the country, I can see very clearly why we were dodging around the post, and the evidence of the fact of the case was being kept from many of us who were members of that committee. It was apparent. There was a plot, a scheme, which is now to be carried out by this House printing this imperfect evidence, one side of the case only—not even half the case completed. There is no question about it, we are not going to rest with the evidence simply from three or four provinces of the west.

They are going to have the other side of the political question from ocean to ocean before this matter is completed, and then on the other side there will be evidence called from ocean to ocean; when that has been done it will be time for the publication of the evidence and not before. I protest, as a minority member of that committee, first to these men being called without the committee being made acquainted with the men that were going to be called and then when they were called that we did not have a proper notice as to who was coming to give evidence in order that we might have had the same number of men on one side as the other. I say it is not fair to have this evidence published and sent broadcast throughout the land. I take that position and I desire to enter my protest against the conduct of this matter in the committee and in the House.

Hon. Mr. CASGRAIN—We might as well come to a conclusion. We have been discussing this matter for over an hour and now we have discovered that the evidence has been printed every day after each meeting and the printed copies are on the Table of the House.

Hon. Mr. TAYLOR—Let it stay there until next year.

Hon. Mr. CASGRAIN—We have been an hour and a half discussing as to whether the evidence will be printed or not.

Hon. Sir MACKENZIE BOWELL—The evidence may be on the Table but nobody has seen it.

Hon. Mr. McMULLEN—I think that under the circumstances one copy of that report would be sufficient for each senator and each member of the House of Commons. My office is stuffed full of printed matter that is of no use to anybody. I move that the report be amended by striking out the word 'ten' and insereting the word 'one' and that one copy be sent to each member of the Senate and the House of Commons.

Hon. Mr. CLORAN—I think this has been a most miserable and paltry discussion. This report is in the hands of the press already. The meetings of this committee were held with open doors and there was no objection to the press having the entire report. As a matter of fact it is now in the hands of the public. It is actually on the table of the House and I think it is a paltry thing to reduce the number of copies from ten to one. Although we were not in attendance at the committee we are entitled to copies of the evidence and why should we not have twenty copies if we want them.

Hon. Mr. BEIQUE—I am in favour of the amendment, but I would call attention to the enormous waste of money to the country. We all agree that this evidence is going to be printed ultimately. Why not print a certain number of copies and limit the distribution to one copy to each member. We should now order the printing of a sufficient number so that it will not have to be reprinted.

Hon. Mr. YOUNG—The argument of my hon. friend is not very sound, one copy of the present evidence will be printed and next session possibly one hundred copies will be printed of the evidence taken and that would not be fair. If the evidence is worth printing, surely it is not desirable that it should be held in storage until next year?

The amendment was lost on division.

The motion to adopt the report was carried on division.

The Senate adjourned until three o'clock this afternoon.

Second Sitting.

The SPEAKER took the Chair at Three o'clock.

Routine Proceedings.

GRAND TRUNK PACIFIC RAILWAY.

INQUIRY.

Hon. Mr. CASGRAIN inquired:

1. What is the length in miles of the Prairie section of the Grand Trunk Pacific railway between Winnipeg and the beginning of the Rocky mountain section.
2. Has the government up to the present time granted any land subsidies to this portion of the line outside of its right-of-way over Dominion lands and for station grounds over the same?
3. Has the government granted and paid up to the present time any cash subsidy for the Prarie section?
4. How many miles have thus been constructed by the Grand Trunk Pacific Railway Company without cost to the treasury in money subsidies or land subsidies.

Hon. Mr. LOUGHEED answered as follows:

1. 915 miles.
2. No.
3. No subsidies have been granted or paid.
4. 1176:5 miles without subsidies in money or land.

WELLAND CANAL IMPROVEMENTS.

INQUIRY.

Hon. Mr. CASGRAIN inquired:

1. Has the government considered the point that the deepening to twenty-five feet to the Welland canal would lower the present level of the upper lakes?
2. Has the government considered the point that the large quantity of water necessary to supply continuous lockage in the Welland canal deepened to twenty-five feet and with locks seven hundred feet in length would divert an equal quantity of water from Niagara Falls?
3. Under the waterways agreement between Canada and the United States of America, has the necessary authority been obtained?

Hon. Mr. LOUGHEED answered:

1. It is not considered that the deepening of the Welland canal to twenty-five feet will lower the level of the upper lakes.
2. The amount of water required for lockage through the proposed enlarged locks is but a small percentage of the total now flowing through the Welland canal. It is not considered that any increase in the draught from Lake Erie will be required.
3. Special authority does not appear necessary.

ST. JOHN AND QUEBEC RAILWAY—SUBSIDIES BILL.

FIRST AND SECOND READING.

Bill (188) An Act to aid in the construction of certain bridges on the 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.

Rt. Hon. Sir RICHARD CARTWRIGHT—What is the Bill?

Hon. Mr. LOUGHEED—The object of the Bill is to provide for a subsidy for the St. John and Quebec Railway Company with reference to three certain bridges that are being constructed along the line of that railway. These bridges are being constructed by a separate company, known as

the Bridge Company. It is proposed to guarantee the securities of the company on these bridges up to a million dollars at 4 per cent, extending over a certain period of years. The province of New Brunswick is guaranteeing the bonds of this particular company to the extent of $25,000 per mile, and this government is granting a subsidy of $6,400 per mile. An agreement has been entered into between this government and the company to lease the road which is proposed to be built, as part of the Intercolonial railway. This is a contract which was practically entered into by the late government; the whole matter was gone into by that government and approved of by that government.

Rt. Hon. Sir RICHARD CARTWRIGHT —Not as to the bridges.

Hon. Mr. LOUGHEED—No, but as to the construction of the railway.

Rt. Hon. Sir RICHARD CARTWRIGHT —Will this about exhaust the surplus? Will there be anything left?

Hon. Mr. LOUGHEED—There will be some left. We intend to put some of the surplus into the province of Quebec, as my hon. friend will observe, when we bring down the subsidies.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am inclined to think there would not be much left if we stayed here much longer.

Hon. Mr. LOUGHEED—I quite agree with my hon. friend as to the danger of staying here, because the surplus is rapidly dissolving.

Rt. Hon. Sir RICHARD CARTWRIGHT —It is the one good reason for hurrying, and the only one. I am perfectly well aware of the agreement that was made for the road, but who is responsible to us for the payment of the interest on this one million dollars? The Bridge Company, I take it, is a party of no particular resources, per se.

Hon. Mr. LOUGHEED—A deed of trust is being prepared and signed by the Bridge Company and the federal government giving security upon the bridges. I fancy those bridges would be necessary in any event for the Intercolonial railway system, and that is about the only security. The guarantee is being advanced upon that particular security.

Rt. Hon. Sir RICHARD CARTWRIGHT —Why should you advance money to the Bridge Company, instead of doing the work ourselves?

Hon. Mr. LOUGHEED—I suppose on the same principle we advanced money to the late Quebec Bridge Company.

Rt. Hon. Sir RICHARD CARTWRIGHT —With nice results. That is a very unfortunate precedent you are citing.

Hon. Mr. CLORAN—Over what rivers are these bridges to be placed?

Hon. Mr. LOUGHEED—The first bridge is across the St. John river at or near Andover, in the county of Victoria; the second across the St. John river at or near Mistake, in the county of Kings, and the third at Kennebecasis.

Hon. Mr. CLORAN—That is more bridges than we have had in the other provinces for years.

Hon. Mr. LOUGHEED—We cannot fly across the river.

Rt. Hon. Sir RICHARD CARTWRIGHT —Why cannot we build these bridges ourselves? What earthly advantage will the Dominion gain by handing over to a bridge company a million dollars to build three bridges.

Hon. Mr. CLORAN—And then pay them 4 per cent on the cost.

Hon. Mr. LOUGHEED—I fancy a million dollars will not build those bridges.

Rt. Hon. Sir RICHARD CARTWRIGHT —We have had some experience with respect to the bridges across the St. John, and if my memory serves me we advanced money in a similar case with the result we got no interest and finally we had to take the bridge over, and there was reason to believe it cost a good deal more than it ought to have cost, or would have cost, if it had been built by ourselves.

Hon. Mr. LOUGHEED—The aid to the bridges is so much additional aid, I presume, to the railway. It has been explained to the government, a fact of which the government has satisfied itself, that the class of construction may be a very expensive one, and the assistance being received by the railway company will not anything like construct the road.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is a curious arrangement you are making.

Hon. Mr. LOUGHEED—I presume this road will cost from forty to fifty thousand dollars a mile.

Hon. Mr. DANIEL—Yes. This part of the road is being built exactly on the same gradients, and under the same regulations as the Grand Trunk Pacific. That is a grade of four-tenths of one per cent, the bridges are expensive bridges, and will be used, in all human probability, as a part of the Intercolonial railway, and will also be used as a branch line of the Grand Trunk Pacific, running into St. John. It necessarily requires to be built in an expensive way, and it has and will cost a large percentage per mile.

Hon. Mr. CAMPBELL—What is the estimated cost?

Hon. Mr. DANIEL—I have not the figures, but it will take all of that million dollars, and more, too.

Rt. Hon. Sir RICHARD CARTWRIGHT—Of that I have no doubt. The explanation that my hon. friend from St. John has given is plain enough so far, but here you are proposing to give this to a company to be chartered to construct these railway bridges. What on earth is the object of having a separate bridge company in place of dealing directly with the railway company?

Hon. Mr. LOUGHEED—The bridges are to be toll bridges, and that may possibly answer the question why there should be a separate company.

Hon. Mr. CLORAN—So they are going to make money out of the million in that way?

Rt. Hon. Sir RICHARD CARTWRIGHT.

Hon. Mr. LOUGHEED—The rates and tolls are also transferred as part of the security; that is to say if any rates or tolls are to be levied, they are to become part of the security and they are to be fixed by the Governor in Council.

Hon. Mr. CLORAN—Are the government going to give a million dollars to a body of men without knowing whether they are to levy tolls or not? Is that the way the government are squandering the money of the people? It is time to call a halt. It is an outrage on the public and the railway companies. Every railway company using the bridges will have to pay toll. What does the government mean? They do not take the public into their confidence by bringing down this legislation in due time. If there were a few more like me, that legislation would not pass until we had further guarantees. I simply say it is appalling. Fortunately for the government, the proceedings in this House are not made public and they can hoodwink everybody.

Hon. Mr. DANIEL—I do not see on what ground the hon. gentleman takes exception to the course pursued with respect to these three bridges, when it has been the usual custom of parliament to do the same thing with other companies in the years gone by. I do not understand the opposition that has suddenly arisen to the subsidizing of these bridges specially as if it were something unheard of before. It is, in fact the usual practice that is being pursued.

Rt. Hon. Sir RICHARD CARTWRIGHT—To the extent of 15 per cent, but not a grant of the whole amount.

Hon. Mr. THOMPSON—There is perhaps not as much information as the House ought to be possessed in respect to the construction of these bridges, but from the survey and reports made it is clear that they will cost considerably more than a million dollars. They will cross the river St. John, which is navigable for over two hundred miles by steamboat, and has a width at Fredericton of half a mile; and it is between Fredericton and St. John that two of the bridges are to be constructed. This is not a speculation by the company to make money.

Rt. Hon. Sir RICHARD CARTWRIGHT —I would ask the hon. gentleman what object, in his view, is served by creating a special company for the construction of these bridges, in place of dealing directly with the railway company, who are I suppose, the ultimate owners?

Hon. Mr. THOMPSON—Practically, the ownership of this road will pass into the hands of the provincial government. With respect to the claims on the bridges, the company that build them will have very little if the road is constructed the way it should be. It is simply a connection between the Grand Trunk Pacific at Grand Falls down the valley of the St. John river. There was a mistake made by the government in accepting the back route; at the time of the survey they made an error, and the government was misled by the engineers. Realizing that mistake, the government of New Brunswick has gone to the extent of guaranteeing $25,000 a mile in order that proper regard should be had to the interest of the people. The construction of this road would not have been necessary if the report of the engineers had been based on facts. This parliament was misled as to the two routes. The engineers laid upon the Table of the House plans showing that the back route to the province of New Brunswick would cost a little in excess of $6,000,000, that is, the portion of the road from Grand Falls to the city of Moncton; and that down the valley of the St. John river it would cost between $7,000,000 and $8,000,000. It has developed since that the road through the back portion of the province will cost three times that amount, and it passes through a section of the country that at the time, and for all future time, will have no local traffic to any large extent. This proposition is one that the people of New Brunswick realize is necessary. That section of the country for nearly 200 miles on both sides of the River St. John was entirely without railway facilities, and the feeling, in general, of the people was very strong that they should have a railway there. The parliament of New Brunswick assumed a debt of $25,000 a mile for this road, when $3,000 a mile is the most that has been given as an ordinary subsidy. I think last session it was understood between the late government and the representatives of New Brunswick, who are taking a very active part in the construction of this branch line, that the government would assist in the construction of three large bridges that will cost nearly $2,000,000. The province of New Brunswick has to assume a large liability if they construct these bridges of the character that will be necessary in order for them to be part of the railway that is proposed to be built through New Brunswick. Why it is a bridge company that is to build these bridges I do not know; I know that these bridges cannot be used by any other road than this branch line; there is no other railway that can get on them. It may be possible that some other railway will be granted running rights by the Intercolonial railway; the Intercolonial railway is going to take over the running of this road, and they must be intending to allow other roads to run over the track and charge them a toll for using the bridges.

Hon. Mr. CLORAN—Any railway coming into the Bonaventure station at Montreal and crossing the Victoria bridge, does not have to pay a special toll.

The SPEAKER—The hon. gentleman is out of order; he has already spoken.

Rt. Hon. Sir RICHARD CARTWRIGHT —The explanation as to the Bridge Company is very vague.

Hon. Mr. COSTIGAN—The leader of the government has stated that this was action that had been taken by the late government.

Hon. Mr. LOUGHEED—Not as to the bridges, but as to the road.

Hon. Mr. COSTIGAN—That is what I find fault with, and that is one of the reasons why I am suspicious. I can very well understand the attitude of the hon. gentleman from St. John and I can understand the position of the hon. member for York (Hon. Mr. Thompson). Before the change of government and during the administration of the late government, the question of constructing a road from St. John up the valley of the St. John river

was under consideration. The late government made a proposition through the Minister of Public Works, that if the government of New Brunswick would encourage the construction of a first-class road, equal to the standard of the Intercolonial railway, that the federal government would undertake to operate that road, under lease, as part of the Intercolonial railway, which would give the province a great share of the net proceeds of the earnings of that road and relieve the province of the guarantee that they had given for the construction of the road.

Hon. Mr. THOMPSON—It is under that same arrangement now.

Hon. Mr. COSTIGAN—The road was to be constructed from St. John to Grand Falls, and the county of Victoria is just as much interested in that road as the county of St. John or the city of St. John, or the county of York. There is nothing in the Bill to show that the road will go to Grand Falls. I do not find any fault with the general proposition that the line should be worked by the Intercolonial railway and become a branch of the Transcontinental railway, if connection is made at Grand Falls. What I find fault with is that it provides that these bridges may be built by a company. It does not say they shall be built. This government would only be liable for their portion of the subsidy if the agreement was signed by this government for the construction of these bridges; or, in other words, the road may start at St. John, and come as far as Fredericton or Woodstock, or a little further than Woodstock and stop there. I understand that unless the road is constructed from St. John to Grand Falls that the agreement between the two governments would fall to the ground. I think we are bound to finish the whole road to Grand Falls.

Hon. Mr. THOMPSON—If they do not do so it will be the greatest calamity that ever befell New Brunswick.

Hon. Mr. COSTIGAN—The province of New Brunswick would be liable for that $25,000 a mile and it would be a great disappointment to the people of the province, who have acted in good faith. The hon. member for York has spoken strongly in favour of the county of York, which has been deprived for a number of years of railway facilities from Woodstock down. I quite agree with him in that. I differ with him in regard to the selection of the National Transcontinental railway. I fully agree with him that railway facilities should be provided for the people on both sides of the River St. John. The reason I would favour this transcontinental line in its present condition is that I believe it is not only a transportation scheme, but a development scheme. The northern portion of British Columbia was developed at the expense of the federal government.

The same thing occurred in Manitoba, in the Northwest and in the provinces of Ontario and Quebec, and unless the Transcontinental traverses the section which it does traverse now, we would have no development at all in that section of the province where development is greatly needed, and where it is not only greatly needed, but where it is of great service. I have no desire to oppose the Bill at all, but I am pointing out the difficulties, and the interests, of that part of the country that I think made the sacrifice and who are liable to be disappointed. There is no guarantee to my mind in that Bill that this road will be carried out as it was intended to be carried out by the late government with the province of New Brunswick, and failing that I do not think the Bill is a proper one.

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

Hon. Mr. LOUGHEED—I move that the Bill be placed at the foot of the order paper for third reading. I have knowledge of the fact that the provincial government waited upon this government, and pointed out the impossibility of their succeeding in further financing the project, other than guaranteeing the bonds of the road to the extent of $25,000 a mile. This imposed upon that province a very heavy burden which they thought they could not exceed and maintain their financial credit.

Rt. Hon. Sir RICHARD CARTWRIGHT—Have they not, as against that, the rather

extraordinary concession that 40 per cent of the gross earnings—not the net earnings—will be appropriated to meet the interest on their bonds.

Hon. Mr. LOUGHEED—Yes. I understand it will require that. It is not an unusual practice for the railway company to incorporate a subsidiary company for the building of expensive bridges. There are numerous cases of that character, where a bridge involves more than ordinary expenditure, a subsidiary company is always included now for the purpose of building such bridges. They are financed entirely separately from the railway company, and they enjoy certain tolls from the railway company for their use, and they are financed in that way and maintained. I think the large railways in Canada are now resorting to that method of construction of expensive bridges.

Rt. Hon. Sir RICHARD CARTWRIGHT—Does the hon. gentleman think that is a good plan as between governments. This is virtually between two governments, the local and federal.

Hon. Mr. LOUGHEED—Oh, no. True it is an arrangement of that character, but the road is being built by a private company, and the bridges are being built by a private company. Those companies have made representations that they have financed their enterprise in England, and they have received a very substantial subscription for stock and so on, and it will involve very substantial sums being put into the enterprise, in addition to the assistance which is being given by the government. So that, under the circumstances, I think it is not an unusual transaction, but follows the naturally accepted practice.

The motion was agreed to.

TARIFF COMMISSION BILL.

AMENDMENT REJECTED BY COMMONS.

A message was received from the House of Commons acquainting the Senate that the Commons agree to the 1st, 2nd and 4th amendments to Bill (88) An Act to provide for the appointment of a Tariff Commission, and that they disagree to the 3rd amendment for the following reasons:

Because the special inquiry called for by the amendment of the Senate relevant to the purposes of the Bill, except in so far as it is already provided for by the other provisions of the said Bill and is unnecessary.

Rt. Hon. Sir RICHARD CARTWRIGHT—They do not quote the amendment in this message.

PRINCE EDWARD ISLAND SUBSIDY BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (178) An Act to provide for an additional annual grant to the province of Prince Edward Island.

Hon. Mr. DANDURAND—It was agreed yesterday at the second reading of this Bill that the principle of the measure could be discussed at the third reading. I stated at a previous stage that I felt considerable hesitation in voting on the Bill, and in accepting its principle in its present form. If hon. gentlemen have looked at the Bill they will find that it contains practically but one clause, which is as follows:

2. There shall be paid to the province of Prince Edward Island, in addition to the sums now authorized by law, an annual grant of one hundred thousand dollars, one half of which shall become payable on the first day of July and one half on the first day of January in every year, beginning with the first day of July, one thousand nine hundred and twelve.

The amount to which Prince Edward Island was entitled was fixed by an agreement which was embodied in an imperial Act, and when Prince Edward Island accepted the terms offered by the parliament of Canada it became bound to the federal compact as clearly and as tightly as the four provinces which accepted the British North America Act in 1867. As far as my memory carries me, I have heard complaints throughout eastern Canada as to the principle underlying the settlement which was then made and the insufficient payment from the federal exchequer to the provinces at 80 cents per head, based on the census of 1861. An agitation has constantly recurred for a revision of those

terms. As far back as 1887 the representatives of all the provinces gathered in the city of Quebec and petitioned the federal government for a modification of those terms. That was twenty years before the terms were actually changed, but during those twenty years it took a considerable amount of energy on the part of the provincial governments to educate public opinion to the necessity of modification. One or two other conferences took place between the provincial Premiers of the Dominion towards that end, and in 1906 or 1907 they at last agreed, with the exception of the representative of British Columbia, upon a basis of increase which was deemed equitable to them all. This memo. in which the agreement was embodied, was presented to the federal parliament, and in 1907 the Canadian parliament voted, as far as I can remember unanimously, a resolution to the imperial parliament asking that the payments to the provinces be revised. This resolution formed the basis of an imperial Act, which is chap. 11, 7 Edward VII. This Act of the imperial parliament gives the reason of the Act in the preamble as follows:

Whereas an address has been presented to His Majesty by the Senate . . . therefore enacted.

In virtue of this Act the various subsidies which had been up to that time voted to the provinces were changed. The schedule referred to is the resolution from the two branches of parliament and is signed by the two Speakers. I find that I had the honour of appending my signature to that address to the King. The address read as follows:

MOST GRACIOUS SOVEREIGN:

We your most dutiful and loyal subjects, the Senate and Commons of Canada, in parliament assembled, humbly approach your Majesty for the purpose of representing that it is expedient to amend the scale of payments authorized under section 118 of the Acts of parliament of the United Kingdom of Great Britain and Ireland, commonly called the British North America Act, 1867, or by or under any terms or conditions upon which any other provinces were admitted to the union, to be made by Canada to the several provinces of the Dominion for the support of their governments and legislatures by providing that:

Then the modifications or increases are enumerated in the resolution, which concludes with the following paragraph:

We pray that your Majesty may be graciously pleased to cause a measure to be laid before the imperial parliament at its present session repealing the provisions of section 118 of the British North America Act, 1867, aforesaid and substituting therefore the scale of payments above set forth, which shall be a final and unalterable settlement of the amounts to be paid yearly to the several provinces of the Dominion for their local purposes, and for the supports of their governments and legislatures.

Such grants shall be paid half-yearly, in advance, to each province——

Rt. Hon. Sir RICHARD SCOTT—What is the additional subsidy granted them?

Hon. Mr. DANDURAND—There was a special enactment for Prince Edward Island. I shall cite the paragraph which concerns that province:

I find it in the Act itself. In the case of the provinces of British Columbia and Prince Edward Island:

—the amount paid on account of the grant payable per head of the population to the provinces under this Act shall not at any time be less than the amount of the corresponding grant payable at the commencement of this Act; and if it is found on any decennial census that the population of the province had decreased since the last decennial census, the amount paid on account of the grant shall not be decreased below the amount then payable, notwithstanding the decrease of population.

Hon. Mr. LOUGHEED—Was not there an amendment to that with reference to the province of British Columbia?

Hon. Mr. DANDURAND—There was an amendment with regard to the payment to British Columbia in subclause 2:

An additional grant of $100,000 shall be made yearly to the province of British Columbia for a period of ten years from the commencement of this Act. It was joined to Prince Edward Island in the clause which protects it against a possible diminution of population.

This Act was introduced by the Secretary of State for the Colonies, whose words I will cite:

My Lords, I have not much to say in explanation of this Bill. It deals with payments from the Dominion government of Canada to the provinces of Canada, but it is necessary to have legislation in this country because these payments come in sub-

stitution for the payments which are provided for in the British North America Act, 1867. A conference was held at Ottawa between the Dominion government and the provincial governments, and the provisions of this Bill follow on an address from the Dominion government which represented the findings of that conference.

In the House of Commons Mr. Churchill who fathered the Bill said, in answer to a remark by Sir Francis Bambury:

I did not intend to allow the Bill to pass without making any observations on it; but I thought that it would be more convenient to postpone my remarks until I could deal with the points raised in the debate. The hon. Bart the member for the city of London asked why the Bill came here at all. The British North America Act is the fundametal Act governing the constitution of the Dominion of Canada, and the different prime ministers of Canada voluntarily entered into that union. Adherence to the union was something in the nature of a treaty, and when a altercation in the basis of a treaty is made, it is by the revised schedule of subventions proposed, it was felt desirable by all the prime ministers in conference that such a matter should be ratified by the imperial parliament in the most formal way.

The action of this parliament was, as stated by Mr. Churchill in the House of Commons, a most solemn one. It was a resolution from both branches asking the imperial parliament to enact a law changing the federal compact and increasing the subsidies for the various provinces. The federal authorities deemed that the demand was of such importance that it was essential that all parties should bind themselves to make it a finality. We had lived under the federal compact from 1867 to 1907. It was the first time that an amendment was being moved altering the financial arrangement entered into by the provinces. The Dominion authorities felt that if the door was once opened and was left unbarred that there would be no end of the demands which would come from the various provinces, and it adapted this exceptional mode of declaring that the provinces should not look towards Ottawa furthermore and should be satisfied with what had been agreed between them. We have to-day a Bill presented to us which simply asks to alter these conditions without any semblance of formality. Without consulting the provinces which entered confederation under certain terms, we are asked to pass a Bill which declares that the subsidies paid to one province shall be increased by $100,000. To me the amount is of no significance. The reasons which actuated this province in asking for this amount. I will not discuss. The reasons which have actuated the House of Commons in acceding to that demand I will not discuss either.

The only point I want to make, is that this legislation is most dangerous and is in violation of the federal pact of 1867, and of 1871 under which Prince Edward Island entered confederation, and that if it is agreed to by this Chamber, it will create a most dangerous precedent. If this demand is granted to-day under the form in which it comes to us, it means that any province will be able to come here, and to exercise all the political influence it can exercise on the federal government to obtain an increase of subsidy. I ask hon. gentlemen, who are within the reach of my voice, where will that lead us to, and where will we stop? To-day Prince Edward Island comes in with its feeble voice and asks for that increase and it is granted. When other provinces with a larger representation in the federal House come and make the demand, what will be the kind of resistance which will be offered, and if we go from the most feeble towards the stronger—and the stronger province to-day, may not be the stronger to-morrow—we will see the government assaulted by a coalition of appetites which will be most disastrous for the federal treasury. It seems if there was a principle which should be adhered to, in the most sacred manner it is that of the maintenance of the conditions of the federal compact to the day when the parties to that compact agree upon the alteration of the same. When they do agree, it is for this parliament to say if the demand is a fair one, but we should maintain this protection at all events, that there will be fair unanimity among the provinces before reopening the door to such demands as were made in 1907, and which were granted. It was agreed that those demands were equitable. The charges on the provincial treasury increased in proportion to the increased population. That increase of population brought wealth to the federal treasury and no corresponding income to the provincial exchequer. The alteration of the basis

of the payment of that subsidy from the census of 1861, to the decennial census was a fair one, and this House should adhere to it.

Hon. Mr. LOUGHEED—Will my hon. friend say that Prince Edward Island profited in any way by the re-arrangement of subsidies to which he refers?

Rt. Hon. Sir RICHARD CARTWRIGHT—It did.

Hon. Mr. DANDURAND—I have not examined closely into the working of the arrangement of 1907. The only thing I say is, that whatever its diminution in population, it will not receive less than it was receiving then.

Hon. Mr. CLORAN—Did it not receive $100,000?

Hon. Mr. DANDURAND—If the hon. gentleman will compare the old Subsidy Act with the one which now prevails under the arrangement of 1907, he will find Prince Edward Island has benefited, but this is not the question I desire to discuss, and I do not want to discuss the value of the claims of Prince Edward Island. The claims of Prince Edward Island may be just, partially or in toto, but what I complain of is that the federal government in voting $100,000 to Prince Edward Island as an annual increase has not taken the precaution to give the reasons of the increase in a preamble which would have shown that this subsidy was given as a compensatiin of a special claim and was not purely and simply a violation of the pact entered into by Prince Edward Island and the other provinces at the time of confederation nor of the imperial Act sanctioning the agreements.

Hon. Mr. BEIQUE—Is it not in direct violation of the imperial Act?

Hon. Mr. DANDURAND—I have tried to make clear that the imperial Act which embodied the agreement between the Dominion government and Prince Edward Island is violated by this Act. I am speaking of the imperial Act which sanctioned the entry of Prince Edward Island and which has been modified by the imperial Act of 1907. If Prince Edward Island had just or equitable claims to formulate against the federal government, the federal government could perhaps have come to parliament, and asked that they be settled by an annuity of so much instead of a capital sum to be paid outright to that province. Perhaps by looking closely at the arrangement we could still have found that this was a variation of the terms of the compact. Yet the principle on the face of the Act would at all events here be safeguarded. All that we have before us is a Bill increasing the subsidy to Prince Edward Island. That province may be absolutely entitled to this sum in the settlement of its claims against the Dominion government, but there does not appear on the face of the Act anything to justify this payment, and for this reason I move, seconded by the hon. gentleman for Toronto (Hon. Mr. Kerr), that this Bill be not now read a third time, for the following reasons:

1. Because the right of the Senate to amend a Bill is not impaired by the proceedings which may have taken place during the progress of the Bill through the Commons.
2. Because the amendments made by the Senate to the third clause of the Bill and accepted by the House of Commons provide that the grant in aid of highways shall be paid to the several provinces of the Dominion, instead of to any province as was provided by the clause in its original form; and the subclause 2, proposed by the Senate, indicates the reasonable principle upon which such payments should be made.
3. Because the method of distribution provided for by the fourth amendment is that announced by members of the administration in the Senate and House of Commons as contemplated and has been actually adopted in the supplementary estimates for the ensuing year.
4. Because the Bill undertakes to make certain perminent provisions as to the aid to be given to the construction and improvement of highways in the several provinces; and it is only that the principle of equal distribution in proportion to population recognized by the present administration should be permanently secured by enactment in the Bill, as otherwise, if this principle were abandoned, in future the Senate would have no other recourse than to reject the Supply Bill.
5. Because, if the principle upon which the apportionment of such grant is to be made is fixed by a permanent exactment, the task of deciding upon the items to be inserted in the Supply Bill will be simplified; and
6. Because the Administration of the day, by adopting the principle of the said fourth amendment for the ensuing fiscal year, have indicated that it is neither unnecessary nor undesirable.

That the Senate adheres to its seventh amendment, for the following, among other reasons:

1. Because section 6 of the Bill empowers the Minister to undertake the construction or improvement of highways in any province, which would be a contravention of the letter and spirit of The British North America Act, 1867, and of the uniform practice under that Act, for which contravention no sufficient cause has been shown.

2. Because the said amendment affirms in effect that it is undesirable that the Minister or the Dominion Government should usurp the rights and functions of the provincial administrations in the building and maintenance of highways and bridges.

3. Because the said amendment will not unduly hamper the administration in carrying out its policy and in applying the funds placed in the estimates for that object; sufficient provision being made in earlier clauses of the Bill for co-operation between the federal and provincial governments.

Hon. Sir RICHARD SCOTT—Is the hon. gentleman aware that on two former occasions we made annual grants; in 1887, some $20,000 was added and in 1901 the sum of $30,000 was added to the annual grant. So that we have violated the Act on two occasions before.

Rt. Hon. Sir RICHARD CARTWRIGHT—This is before the special Act of 1907.

Hon. Sir RICHARD SCOTT—But this declaration was just as solemn as the other.

Rt. Hon. Sir RICHARD CARTWRIGHT—One of these grants, to my certain knowledge, was given in consideration of certain claims for services.

Hon. Mr. McMULLEN—I think it exceedingly unfortunate that the government should have permitted themselves to be coaxed into bringing in a Bill of this kind. As I said when the Bill was introduced, before that island could claim any consideration at the hands of the federal government they should be in a position to show that, per capita, they pay as much taxes into their treasury as is paid by the people of other provinces. Until that is shown, and they are found face to face with a provincial deficit, then, and not till then, they should be granted relief. In Prince Edward Island they have prohibition; who is paying the cost of prohibition? They collect no money from licenses, yet I understand that whiskey is free in the province and that there is more of it now than there ever was before. Should the other provinces be called upon to make up any loss that Prince Edward Island has sustained by adopting prohibition, cutting off hotel licenses and all revenue formerly derived from the liquor traffic? Are the other provinces to make up what Prince Edward Island should collect from property-owners in the way of municipal taxes and income taxes? Are the people of Prince Edward Island leaving the whole burden, even to the payment of their school teachers, improvement of their roads, the building of their bridges and everything else, to be borne by the provincial treasury? Are the people who have the advantage of those local works to have them paid for by the provincial treasury, when in other provinces they are paid by the municipality? I do not know whether the people of Prince Edward Island do statute labour, my impression is they do not. They appear to be free niggers from top to bottom—no statute labour, no school fax, no municipal tax, no revenue from hotel licenses—all these are cut out and the burden is borne by the other provinces. Yet in the face of that, to make up what these things would produce in the way of revenue, they come to the federal treasury and ask for an increased subsidy. I look upon it as the most unfortunate Bill introduced in this House this session, and I entirely agree with the remark that it is opening the door, in violation of the compact entered into at confederation, and still further pointing out the method by which other provinces may make similar demands.

What would you say to a province that comes now and asks an increase? Will you be able to reply that they should pay into their own provincial treasury by taxation more than they are paying? If you do, their answer will be: 'You did not talk to Prince Edward Island in that way, you did not measure the justness of their claim by taxation per capita. Why do you raise it in our case'? You are doing something by this Act that will place other provinces in the position of being able to come along and say to whatever government is in power 'We want an increased subsidy.' They will ask for increased subsidies year after year so long as there is abundance

in the federal treasury. Why did Prince Edward Island come this year? Because they know there is a large surplus and they say to themselves: 'Now is the time to apply.' I contend that it is entirely wrong that these people should be given $100,000 a year more, unless they first show to this House and to the country that individually they are contributing as much in the way of taxation as the residents of other provinces, and they should show that they impose taxes for the purpose of providing funds for meeting the demands of their provincial treasury. Do they impose taxes in accordance with the methods adopted by Ontario and Quebec? If they do not they should begin and do so and they should collect from their own people, not until then have they any grounds whatever to come to this parliament and ask that their subsidy should be increased.

Hon. Mr. CLORAN—Some four weeks ago I ventured a remark that did not meet with the approval of the government nor, also of some of my friends on this side of the House. I openly charged the government with bringing down only measures that had a partisan aspect and political effect. The remark was made in reference to the Tariff Commission's Bill which, to my mind, is concocted and calculated to hamper the growth of any idea in favour of a reduced tariff. Then they brought down the Highway Bill which has nothing to do with federal matters and does not come under federal jurisdiction. That was another Bill concocted and calculated to build up a Tory fund that would simply crush the Liberal party four years from now. Just imagine a million dollars being placed in the hands of Mr. Cochrane and Mr. Rogers. I can see a sweep against the Liberal party, something the same as we had in British Columbia the day before yesterday, where the government are voting $12,000 a mile on a subsidy to a provincial road, which is another means of purchasing the provinces wholesale. The Manitoba Bill was a piece of legislation which was a direct snub to Saskatchewan. And she was refused a hearing in the conference simply because it is a Liberal province. Now what do we find with reference to Quebec? We find a clause put in the Bill that we were fighting to have put in the Manitoba-Keewatin Bill to protect the rights of the people of Keewatin. They have put in the Ungava Quebec Bill a clause to protect the interests of the squaws, papooses and indians and they are forcing Quebec to look after them. That is simply a knock at Quebec because it is Liberal. This government has been too busy to give Saskatchewan a hearing, they have been too busy to formulate a policy with regard to imperial preference; they have been too busy to formulate any policy with regard to the navy, and yet they have found time, in the small hours of the session, to bring down measures that have no federal aspect whatever. Money is being thrown out of the federal treasury into the hands of the provinces in order to retain votes. The constitutional aspect of the question has been ably dealt with by the hon. senator from De Lorimier (Hon. Mr. Dandurand). Apart from that I say it is a direct purchase of the province of Prince Edward Island. The hon. senator from Wellington (Hon. Mr. McMullen), has made it clear that that money is not needed in Prince Edward Island. I understand that if they even put down a plank in Prince Edward Island it is charged up to the provincial government. The taxes levied on property down there do not amount to anything. They get more than the other provinces in the initial subsidy, and now this government propose to give them an extra $100,000 without any reason or excuse except the one that was given yesterday by the leader of the government, that it was to enable them to maintain their paupers. He stated that the cost of maintaining the paupers was $50,000. The right hon. leader of the opposition shows a very marked discrepency in the figures given by the leader of the House in his statement. According to his figures the expenditure for paupers is merely two or three thousand dollars. As far as I know there are no paupers on the island; there may be a few aged and infirm, but their keep should not be charged up to the federal government. The prosperity of the people of Prince Edward Island is one of the most remarkable things in the Dominion. Fifteen or sixteen years ago they were as poor

as church mice, their farms were mortgaged as every registry office down there will show. There was very little money in the banks, and very few banks on the island. A change came over the situation there, as well as elsewhere. Owing to the influence of the Agriculture Department at Ottawa the farmers changed their system; they did not grow so many potatoes but went into dairying, with the results that the butter and cheese that is shipped from Prince Edward Island to the English market is beating the famous Danish butter and cheese on the English market.

That is the record that the farmers of Prince Edward Island have secured of themselves during the past ten or twelve years —they make the best butter and cheese in the world. The result is that banks by the dozen have established on the island, at places where there have been none, or very few, before. I have these facts from the manager of one of the leading banks in Charlottetown. He says it is amazing the amount of money deposited in the banks, and that instead of the farmers of the island being mortgaged up to the handle, all their debts have been cleared off and they are storing away their money. That is the fact and it is to their credit, but it is not creditable to the Dominion government to make paupers out of them when the contrary is the fact. That being the case, I am prepared, with the hon. member from De Lorimier, to vote for the six months hoist of this Bill, and I would have voted the same way in the case of nearly all the other measures devoting money to the provinces. If it was to be spent by the provinces I would not consider it so objectionable, but it is to remain in the hands of the federal government. In the case of some members of that government it would be suicidal to do that, and the people would not thank us for our liberality. The Liberals of the country are looking to the Senate to support their principles. I charged the government openly here with introducing all this legislation in the last hours of the session for political and partisan purposes, squandering the immense surplus gathered by the Liberal administration for their own ends as well as for the benefit of the public. I shall vote for the amendment in order to give the government time and opportunity to bring in legislation along federal lines.

The Senate divided on the amendment which was rejected by the following vote:

Contents—12; Non-contents—16.

The SPEAKER—The question is now on the third reading of the Bill.

Hon. Mr. DERBYSHIRE—I should like to know why the hon. member from Wellington has not voted?

The SPEAKER—It is too late, the question of the third reading has been put.

Hon. Mr. McMULLEN—I was paired with the Hon. Dr. McMillan, of Glengarry.

The SPEAKER—The hon. gentleman is out of order.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think his honour the Speaker might have allowed my hon. friend to state that he was paired, as has been done dozens of times.

The SPEAKER—It was not the right time.

Rt. Hon. Sir RICHARD CARTWRIGHT —I repeat that no sort of satisfactory explanation has been offered as yet by any hon. gentleman in the slightest degree justifying the passing of this measure. No attempt has been made whatever to answer either the argument of my hon. friend that this is a gross and direct violation of that imperial statute, or my own argument that you are opening the door to an enormous number of other demands, which may involve an addition to the total expenditure of Canada of $7,000,000 a year making an addition to our annual charges very nearly equal to our present capital debt. You are doing that in gross and direct violation of the federal compact. You are justifying everything that has been said from one end of the Northwest to the other as to the gross injustice which is being perpetrated on those provinces by compelling them to pay a most inordinate amount of taxation into the federal treasury and using that money for purposes which it was never intended to be

used for. The excuses given by the hon. leader of the government and the hon. gentleman from St. John are the strongest condemnation of this measure which could be brought forward, when we are told that the people in other provinces are to pay for the paupers of Prince Edward Island and for the education of the children of Prince Edward Island. When those are the reasons brought forward, I say that this House and the country are disgraced by their deliberate and wanton violation of every agreement that they have entered into.

Hon. Mr. WATSON—There is probably some excuse for some hon. gentlemen who voted against the amendment to-day, because the presnt government have evidently adopted a new principle in legislation; that is, without sticking to the constitution at all, a number of gentlemen who now occupy the treasury benches—and it is somewhat new to them—found about $40,000,000 which they had to get rid of; they proceeded to divide it up, and I suppose that some of the hon. members who voted the $100,000 for Prince Edward Island have come to the conclusion that they, along with the other provinces, are entitled to their share, and their share is $100,000 added to the subsidy. We passed a Bill to-day which is a direct grant to New Brunswick of $1,600,000. We have had before us last night a direct grant to British Columbia of $6,200,000, to build a provincial railway, of which the federal government have no control. Manitoba, contrary apparently to all precedents, received $2,000,000 during the session, and $2,000,000 is given to Ontario out of the jack-pot of a treasury, ostensibly for the consideration of them having built a railroad some years ago, whch is one of the most profitable assets Ontario possesses. The railway is now in operation, opens up a rich portion of the country, and I understand the profits of that road are about 20 per cent. The excuse is made that because they did not get a subsidy when the road was built, it being a provincial road, and not being accustomed to granting provincial roads a subsidy, the Dominion gives them $2,000,000. We have all those items, and there is one peculiarity about all the matters in connection with the dealing out of the surplus in the overflowing treasury, that the provinces who received this aid happened all to have Conservative governments at the present time. Not one dollar which directly benefits the provinces, is voted to Alberta, Saskatchewan, Quebec or Nova Scotia. I admit that aid has been given to railways in all the provinces, but the other items for British Columbia, Manitoba, Ontario, New Brunswick and Prince Edward Island, all go to directly relieve the provincial government.

Hon. Mr. DANIEL—What has New Brunswick got?

Hon. Mr. WATSON—We voted $1.600,000 to a provincial railwav in New Brunswick.

Hon. Mr. DANIEL—We have not got it yet.

Hon. Mr. WATSON—The only excuse was that the provincial government had guaranteed that road to the extent of $25.000 a mile, and this money would relieve the expenditure of the province to that extent. That is the only reason advanced why we should give that sum, and apparently my hon. friend from New Brunswick, is not grateful for it It is a provincial charter, and we passed the measure only about an hour ago, and yet my hon. friend asks what does New Brunswick get? We have just been discussing it, and the only reason advanced was the fact that it assisted to relieve the obligation of the province of New Brunswick, to the extent of that grant. I think probably there is a justification for some gentleman who saw fit to vote Prince Edward Island $100,000. They thought it was only their share. The island sent three member to the House of Commons, and only one happens to be on the Liberal side. There is no question that this resolution has been voted down in mistake, because if we are going to have the treasury of the federal government depleted by the different methods, which have been adopted during this session, of bringing down legislation that is introduced into the House of Commons, by resolution, and properly so, and properly by Mr. Speaker ruled out of order, because it was

a money Bill, this Senate is absolutely powerless to deal with the matter. I thought it well to call the attention of the House and the country to the method these gentlemen have adopted for the purpose of getting rid of the overflowing of the treasury.

The motion was agreed to and the Bill was read a third time and passed.

THIRD READINGS.

Bill (185), An Act to authorize the sale to the province of Manitoba of certain Ordnance Lands in the city of Winnipeg.—Hon Mr. Lougheed.

Bill (137), An Act to amend the Volunteer Bounty Act, 1908.—Hon. Mr. Lougheed.

THE FENIAN RAID VOLUNTEER BOUNTY BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved the third reading of Bill (No. 172) An Act to authorize a bounty to volunteers who served the Crown during the Fenian Raid.

Hon. Mr. POWER—When this measure was before the House at a previous stage the hon. leader of the government intimated that he would make some little inquiry as to points raised then.

Hon. Mr. LOUGHEED—I am unaware of that, because my hon. friend suggested such a very difficult problem to adjust, namely, to draw a distinction between those called out who did not go into active service, and those called out who did go into active service. I know the action of the government is based on this, that having placed themselves in an attitude of willingness to serve their country, and having been called out, they are quite as entitled to recognition as those who went into active service.

Hon. Sir MACKENZIE BOWELL—All those who were ordered out, whether they went to the front or not, received medals.

Rt. Hon. Sir RICHARD CARTWRIGHT—That ought to have been enough. They got the honour, they should not ask for the pay.

Hon. Sir MACKENZIE BOWELL—I am not discussing that point.

Hon. Mr. POWER—The hon. gentleman from Portage la Prairie said that Nova Scotia has not got anything in the division of spoils up to the present time. Nova Scotia will get a rather larger share of this particular distribution than any other province.

Rt. Hon. Sir RICHARD CARTWRIGHT—I understand that the whole male population of Nova Scotia was called out, are all the survivors to get $100 each ?

Hon. Mr. LOUGHEED—I do not think so.

Rt. Hon. Sir RICHARD CARTWRIGHT—I should like to know. My hon. friend beside me pointed out with great force that, as I understood him, all the male population between the ages of sixteen and forty-five were notified, and did, hold themselves in readiness. They are not all alive now, I suppose, but are all the survivors to receive $100 each ?

Hon. Mr. LOUGHEED—From the best sources of information that the Militia Department could get, they concluded that the maximum number would be 10,000 throughout the whole of the provinces.

Rt. Hon. Sir RICHARD CARTWRIGHT—But what about the case of Nova Scotia ?

Hon. Mr. LOUGHEED—I do not think that the Nova Scotians rose en masse as my hon. friend pointed out yesterday.

Rt. Hon. Sir RICHARD CARTWRIGHT—They held themselves in readiness.

Hon. Mr. LOUGHEED—Of course the Bill confines it strictly to those enrolled in the militia at the time.

Rt. Hon. Sir RICHARD CARTWRIGHT—No scramble for a million dollars was ever conducted with so little regard for rule and order as this scramble.

Hon. Mr. LOUGHEED—The militia orders, I presume, have been preserved and it is ascertainable who were on the roll and who the survivors are at the present time—that is, the survivors of those who responded to the call in 1866 and 1870

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend in his remarks did not exactly meet the question which was put. We were agreed that we would raise no objection to the case of gentlemen who, like the hon. member from Hastings, had been actually called out and served, but men who were simply warned to hold themselves in readiness and never left their homes or lost a day's work, to pay them $100 is a very questionable proceeding indeed, and the government ought to be in a position to tell us, because a million dollars is involved in this matter.

Hon. Mr. LOUGHEED—I do not think that class of person would come within the meaning of the Act. It simply provides for those who were regularly enrolled, or enlisted in and served, with any militia corps called out for active service.

Rt. Hon. Sir RICHARD CARTWRIGHT —I would like to know exactly what these words mean. If by called out he means they were actually under canvas or actually held in their own place doing duty, that would be sufficient. But called out in a good many cases would simply mean that they were notified to hold themselves in readiness.

Hon. Mr. LOUGHEED—Where would you draw the line in distinction?

Rt. Hon. Sir RICHARD CARTWRIGHT —I would draw the line here I think wherever a regiment or company had been absolutely or actually put under marching orders in terms, even if they did not go to the front, I am willing to recognize that, and of course a fortiori in the case mentioned by my hon. friend wherever they had left their homes and gone on service in various parts of the country. That is a perfectly legitimate thing to be recognized. I do not know whether the Bill can be amended in this Chamber; if it could I would press my hon. friend to try and make a clear line of deviation between those that might be entitled to the $100 and those who will not be entitled to it. Because if it is undefined, we may have a repetition of what is going on in the United States. Veterans of the war of 1860 and 1865 seem to go on increasing, although we are 50 years past that time. There is another principle there which seems to be a very doubtful one. There are those who have died since 1866, and those who have survived. It seems that the government holds that life is a bad thing, because it gives compensation to those who have continued to live for the past 45 years, and gives nothing to the heirs of those who have died, and this money is not distributed to the widows and children of those who have not the good fortune to live. I would rather have taken care of the widows and children than those who have the advantage, in spite of the fact that for a week or two their ambitions were raised to the point of thinking they would perhaps be called to the front and are now being given $100 after fifty years.

Hon. Mr. POWER. It has occurred to me that it was possible, inasmuch as the language of this Bill leaves the beneficiaries a little doubtful, the department or the government might make regulations under this Bill so as to prevent its provisions from being abused. I think the minister, with the approval of the government, might undertake to define what active service means, and in that way would be able to exclude persons who really have no substantial claim.

Hon. Mr. WATSON—I would like to say a word for the class of people who probably would not come under this list. I refer to a few people who repelled the Fenian Raid invasion in Manitoba in 1869 and 1870, and I certainly think that these earlier settlers, the pioneers who turned out and put themselves under arms, although they did not belong to any enrolled militia ought certainly to receive as much consideration as the enrolled militia, because the enrolled militia were not in the district, and could not be called out to defend their country. The early settlers in Manitoba who turned out to repel the Fenian invasion should receive some consideration.

Hon. Mr. DANIEL—I do not think any difficulty will be experienced as to who are entitled to this $100. There must be in

existence, and available, the muster rolls of these corps and companies that were actually called out, and who did active service. From evidence of that kind I have no doubt the government were able to distribute the medals to those who were entitled to them. The people who were entitled to medals, and who are still living I should consider would be the ones entitled to the $100. The language of the Act is clear enough; it speaks of those who were enrolled in a militia corps, and who were called out for active service.

Hon. Mr. WATSON—What about the men I have just referred to who took up arms and defended their country when they were not enrolled?

Hon. Mr. DANIELS—They would not come under this Act.

Hon. Mr. WATSON—They should.

Hon. Mr. TAYLOR—You can take that point up next year.

Hon. Mr. DANIELS—If there is a claim of that kind it would be a good thing to put it in and have it considered. The wording of the Act is plain enough to cover the people who are called out, and who went into active service, even if they did not engage in any active fighting.

The Bill was then read a third time.

THE RAILWAY SUBSIDIES BILL.

THIRD READINGS.

Hon. Mr. LOUGHEED moved the third reading of Bill (183) An Act to authorize the granting of subsidies in aid of the construction of the railways and bridges therein mentioned. He said: This is what may be said to be the Railway Subsidies Bill. I find that the total subsidies, if all were earned, and on the basis of $6,400 a mile would be $21,648,000. If only $3,200 a mile be earned it would be half of that, $10,824,000. The Subsidy Bill consists of a re-vote amounting to $11,550,200.

Rt. Hon. Sir RICHARD CARTWRIGHT —Does the Bill state which are re-votes?

Hon. Mr. LOUGHEED—The Bill has been distributed. The new vote represents, if earned, $10,092,800. The re-vote represents 1,803 miles of road. The new vote represents 1,574 miles of road; in all a total of 3,377 miles.

Rt. Hon. Sir RICHARD CARTWRIGHT —Can you give us the several new votes?

Hon. Mr. LOUGHEED—Yes.

Rt. Hon. Sir RICHARD CARTWRIGHT —The new votes are what I want particularly. It is a pity they do not divide these giving the re-votes first and then the new votes by themselves.

Hon. Mr. LOUGHEED—It would have been very much more desirable. The first twenty votes in the Bill are the re-votes, and the balance are the new votes. The new votes begins at the Fredericton Grand Lake Coal and Railway Company.

Rt. Hon. Sir RICHARD CARTWRIGHT —Are the rest all new?

Hon. Mr. LOUGHEED—Yes, the rest are new. The bridges represent $936,000.

Rt. Hon. Sir RICHARD CARTWRIGHT —Look at No. 28; that is not to exceed 200 miles?

Hon. Mr. LOUGHEED—This line has been constructed from St. Lévis on the Intercolonial, and is in operation for about 35 miles. The subsidy is for a continuation of the construction from the terminus to the Gaspé Basin; it would serve the interior of the Gaspé peninsula which is at present without railway facilities, and it will open up pulp limits, &c. The estimated cost per mile is $23,564. It is also regarded as a feeder to the Intercolonial railway, and will help the freight tonnage of that road.

Rt. Hon. Sir RICHARD CARTWRIGHT —We have had applications for a line there before, a good many times, but nothing has come of them.

Hon. Mr. LOUGHEED—Thirty-five miles is in operation. The road is under construction; the object is to assist the construction to the terminus at Gaspé Basin.

Rt. Hon. Sir RICHARD CARTWRIGHT —I see another very large grant in No. 31 for 300 miles from some unknown point, mile 837 west of Moncton.

Hon. Mr. LOUGHEED—That is from a point at or near mile 837 west of Moncton in a northerly and north-westerly direction to a point at or near the mouth of the Nottaway river on James bay. In the revote there is an item covering the line from Montreal to the National Transcontinental railway. The estimated cost per mile is $40,000.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is not a single solitary mile of it built.

Hon. Mr. DERBYSHIRE—And will not be.

Hon. Mr. LOUGHEED—If that be the case we shall not have to pay the subsidy.

Hon. Mr. DANDURAND—If my hon. friend will look at the map he will see that possibly there will be within the next ten years more than one railway reaching Hudson bay from the west.

Hon. Mr. LOUGHEED—Is this not the line the Quebec government strongly recommended for assistance?

Hon. Mr. POWER—Yes.

Hon. Mr. DANDURAND—But the point I want to make is that we have been slow in realizing the role Hudson bay would play in the future. The mouth of the Nottaway river is 150 miles south of the latitude on which Edmonton is situated. I understand that the land can produce good wheat as far north of Edmonton as 150 or 200 miles. If there is a belt of land 300 miles wide running from the foot of the Rocky mountains which is tributary to Hudson bay, and if it be true that Hudson bay is navigable during as many months as is Lake Superior, then the route to Hudson bay, by rail from Edmonton and by water to the Nottaway river and by rail to Quebec will be shorter by five hundred miles than the southern route via Port Arthur.

The men of my generation may see Hudson bay playing in the north the role which Lake Superior plays to the south and giving the west a much shorter route to Europe. I am not a pessimist as to the value of our northern land, new Ontario and new Quebec. I think that within the next decade or two we will find we have a very valuable hinterland which is worth a great deal to this country.

Hon. Mr. LOUGHEED—Has the Quebec legislature not guaranteed the bonds of this company in addition? I understand so.

Hon. Mr. DANDURAND—I do not know.

Hon. Mr. LOUGHEED—Or they have given them substantial aid?

Hon. Mr. DANDURAND—All I know is that at the opening of the House some months ago the Prime Minister declared that in view of the annexation of Ungava he would hurry up the construction of a route to Nottaway river, although he was strongly of the opinion that that road should be built as a part of a National Transcontinental railway system by the federal government. He stated also that if the federal government did not choose to build that link from Nottaway river to the National Transcontinental railway the province of Quebec would make the necessary sacrifices to secure that railway.

Hon. Sir MACKENZIE BOWELL—Did he go further? Did he not declare it to be the policy of the Quebec government, foreshadowing an easier and a shorter route to get to navigable waters?

Hon. Mr. DANDURAND—Yes, I think that was the view taken by the Quebec government, that that link was a more important one, and that although grain could be shipped by Hudson straits for a couple of months of the year, probably most of the grain would find an outlet by way of the Nottaway river to Quebec.

Hon. Mr. POWER—I do not think that a great deal of grain will go by that particular route for some considerable time. In the first place, the hon. gentleman from De Lorimier (Hon. Mr. Dandurand) makes a comparison between Edmonton and the mouth of the Nottaway river. The hon. gentleman must know how utterly different

the climates of places in the same latitude are a thousand miles west of Hudson bay and those east of Hudson bay. One might go almost to the mouth of the McKenzie river, far north of the Arctic circle, before he would get the same climatic conditions that exist on the western shore of Ungava. Then, speaking to gentlemen who know something about the character of James bay, I get the impression that the mouth of the Nottaway river is not a point which is adapted to be the terminus of a railway, that you have to go further north than that to the mouth of what they call Ruperts river, the present boundary of Ungava, before you get water deep enough for the navigation of big steamers. Then the hon. gentleman takes the ground that the wheat will go from the west to Nelson or Churchill and that the cars will be ferried——

Hon. Mr. DANDURAND—Not the cars;. the wheat will be transhipped.

Hon. Mr. POWER—I am very glad to find that that is what the hon. gentleman means. It means that grain on its way from Nelson to Quebec must be transshipped twice.

Hon. Mr. DANDURAND—Just as it is at Fort William and Georgian bay ports.

Hon. Mr. POWER—As I said before, I do not anticipate any large business going that way, but I would direct the attention of the hon. gentleman and of the House to the fact that within the last few weeks the people of the west, on whose account this Hudson Bay railway is about being built, are beginning to think that there is not so much in the project after all; it is a pity, perhaps, that they had not thought a little in advance. It is the old story, look before you leap, and it seems to me the people of the west, at any rate, have not looked into the Hudson Bay railway scheme sufficiently before pushing the government into its construction. I am not criticising the action of the government. This government and the former government were practically pushed into this scheme; I think the whole thing is a mistake, and, as I say, in the west they are beginning to realize now that the Hudson Bay railway will not be the panacea for their ills that they thought it would.

Hon. Mr. WATSON—The hon. gentleman is entirely mistaken with regard to the estimates in which the people of the Northwest hold the construction of the Hudson Bay railway.

Hon. Mr. POWER—I cannot speak for the whole of them; I can speak for some of them.

Hon. Mr. WATSON—The hon. gentleman can speak for the small minority, because it has been demonstrated that the Hudson Bay railway ought to be a short and cheap route for the transportation of the products of the Northwest to England.

Hon. Mr. EDWARDS—How?

Hon. Mr. WATSON—By rail and water.

Hon. Mr. EDWARDS—In what kind of vessels?

Hon. Mr. WATSON—Steam vessels.

Hon. Mr. EDWARDS—Passenger vessels?

Hon. Mr. WATSON—I am talking of freight.

Hon. Mr. EDWARDS—There is a very great misconception as to the carrying of grain across the ocean. Grain does not go across the ocean in cargo lots, but goes by passenger vessels, and it goes the same way from the United States. Not a cargo goes across in bulk in three years, and can it be expected that the passenger service is going to be transferred to Hudson bay?

Hon. Mr. WATSON—We are not interested so much in the passenger as in the freight service.

Hon. Mr. EDWARDS—The wheat of the Northwest cannot be carried across the ocean by a freight service. That wheat goes now as ballast at a very low rate of freight. This country cannot afford to ship grain across the ocean in cargo lots.

Hon. Mr. WATSON—It is claimed by those who have made a study of the question that wheat can be carried cheaper by

the Hudson Bay route than by the long rail haul to Atlantic ports. By the Hudson Bay route the rail haul from the wheat fields of the Northwest would not average more than 600 miles against 1,800 miles to Atlantic ports. Independent entirely of the advantage that may be gained by the construction of that road in connection with navigation—because that is somewhat problematical—the government are justified in building the railway to Hudson bay to open up that territory.

Hon. Mr. EDWARDS—That is another question.

Hon. Mr. WATSON—Yes, but the subject under consideration is the building of the Hudson Bay railway. I say that, independent entirely of any trade that may go by the Hudson Bay route, the government are justified in opening up that immense territory. We had a committee of this House, some two or three years ago, looking into this subject, and I think the evidence they adduced went to show that the territory lying north of Manitoba and east of Hudson bay is capable of maintaining a very large population. There is land suitable for grain growing and stock raising. In addition to that, from the experience in other parts of Canada of opening up new territory, particularly the territory opened up by the Ontario government, we have reason to believe that valuable minerals may be discovered on account of building the railway. If the Ontario government had not built the Temiskaming and Northern Ontario railway, Cobalt would not be known to-day, because the geologists said that silver could not be there, and if it should be found it should not be there. The result of the construction of that railway is that hundreds of millions in wealth have been taken from that country since the building of the railway.

Rt. Hon. Sir RICHARD CARTWRIGHT—Wealth which should not have been there.

Hon. Mr. WATSON—But it was there. I have no doubt that great mineral wealth will be discovered in the country north of Manitoba. I believe that the mineral belt in which Cobalt is extends in a north-westerly direction and in fact it has been traced to Split lake. The late government were perfectly justified in undertaking the construction of the Hudson Bay railway. The Hudson Bay route has been a very live matter in Manitoba for the last thirty years, and the Manitoba people were very much pleased when the late government decided to undertake the construction of that railway. I may say they were very much disappointed when the present government stopped the construction of it for a few months and glad when they finally came to the conclusion that they had better proceed with the construction. Independent of the doubt that may be entertained by some hon. gentlemen with regard to the possibilities of navigating Hudson bay, the government of the country are justified in opening up the Hudson Bay route.

Hon. Mr. EDWARDS—It may be quite possible that between some point in the Northwest and Hudson bay there is a territory which justifies the construction of a railway. If such is the case I, for one, would find no fault with the project, but in so far as our transportation is concerned it is a very serious matter for this country in view of the fact that we have one transcontinental railway in existence and two others approaching completion, and when they are completed they will carry, without difficulty, a far greater amount of grain than will find a market in Great Britain for all time to come. There is no question at all about that. I have some little knowledge of the subject from having examined the situation on my own account and I know that the northern country between the height of land and James bay is valueless for any purpose whatever, agriculture or anything else. When you get east of Lake Abitibi the country is absolutely valueless except a small portion in the province of Quebec. Coming again to the Hudson Bay route and another projected waterway, the Georgian Bay canal, I am in a position to know something of both, and I say without hesitation that if ever there were two unjustifiable schemes thought of in the best interests of Canada, it is the opening up

of navigation by Hudson straits and the use of the Georgian Bay canal if it is ever constructed. Absolutely, if the canal is ever constructed it will not be used, and if it did not take up too much of the time of this House I should show the reasons why it never will be used for the purpose it is intended for. I have been asked on many occasions to support that scheme in parliament and have always refused to do so, because I am intimately acquainted with the situation and know that hon. gentlemen who have been supporting the scheme have been talking visionary nonsense. The construction of that canal will never receive any support from me. If we are to have a waterway to the seaboard, let us take the natural route—the St. Lawrence route. Measured by miles the Georgian Bay route is shorter, but in every other respect the St. Lawrence is the better route. So far as the navigation of Hudson bay is concerned, specially constructed ships would be required. The ordinary ship will never enter Hudson bay. There would be no use for such a ship except during the short period of open navigation, and ships suitable for the navigation of Hudson straits would be useless anywhere else. I have it from the men who are engaged in shipping grain that the grain of this country crosses the ocean in passenger vessels; it does not cross in cargo lots, and can it be expected for one moment that the passenger service across the ocean is to be transferred to Hudson bay? Under any circumstances it is a very doubtful scheme, and one to which this country should not be committed without thorough investigation. We have had a large expenditure of money for some years in Canada. Many of our people think it is a blessing; in so far as the expenditure is justified and useful to the country, it is, but there is another side to it. It brings about unnatural conditions in the country, and the large expenditure is more or less responsible for the high cost of living in Canada to-day. Our expenditure up to the present time, has been too large for Canada, and if the present government are seeking to continue the same condition of things I would ask them to halt and examine the situation and see if it is a safe thing to do in the interest of Canada. I do not think this country should commit itself in the present condition of things to any large expenditure until the works at present under construction, are completed. When that large expenditure ceases, it will bring about a more moderate condition of things in the country, but if this large expenditure goes on, as has been the case for some years past, I for one, do not know where this country will be landed so far as financial conditions are concerned.

Hon. Mr. DANDURAND—I am quite sure that the leader of the House has not read this Bill, nor some of his colleagues in the cabinet, because I see a reference to three railways which run towards the International boundary. I refer to items 21, 34 and 42. I thought that after the 1st September we would see to it that we build no railways north and south, and that railway construction would proceed only east and west. I will refer to No. 17 letter B. I think that is a re-vote.

Hon. Mr. POWER—Well, let her be.

Hon. Mr. DANDURAND—It is 34 and 42 that would require, perhaps, some considerable explanation, because they are not revotes. I do not object to these roads being built.

Hon. Mr. LOUGHEED—Of course we had the approval of my hon. friend in view when we arranged the subsidies.

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

CENSUS AND MOVEMENT OF POPULATION OF CANADA.

REPORT FROM COMMITTEE ADOPTED.

Hon. Mr. POWER moved the adoption of the second report of the Select Standing Committee appointed to consider the unsatisfactory character of the movement of population, especially in the older provinces of the Dominion, &c.

He said: There was no difference of opinion in the committee. We heard a considerable amount of evidence which was interesting and instructive, but we did not

go far enough to be in a position to draw any conclusion, and we recommend that this committee, or a like committee, be appointed next session, and that meanwhile 2,000 copies of the report and evidence be printed.

The motion was agreed to.

RAILWAY BELT WATER BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of Bill (149) An Act respecting the Water in the Railway Belt and Peace River Block of Land.

He said: This is a Bill which has in view the administration of the water-rights within the Railway Belt in British Columbia. The province of British Columbia administers, under what is known as the Water Act of 1909, the water-rights of that province. These water-rights dealt with in the Bill are vested in the federal government, by reason of the Railway Belt being vested in the Crown, as represented by this government, and it is unsatisfactory that there should be two distinct governments administering these very valuable rights of the public domain, namely water, in the province of British Columbia where one set of machinery could do it so satisfactorily. It is, therefore, proposed to hand over to the province of British Columbia those water-rights for their administration. If there be any profit above cost in it, or any revenue above cost, that advantage would innure to the benefit of the federal government. The government also reserves to itself the right at any time to intervene, so that there can be no misuse made of vesting those rights in the province. Due protection has been made under section 3 of the Bill for any vested or existing rights.

Hon. Mr. BOSTOCK—I do not propose to object to the principle of the Bill, but of course this question has been a very burning one in British Columbia on account of the seriousness of the water question in a country where the whole of the farmers' existence practically depends on whether he can or can not get water. Owing to the decision of the Privy Council two years ago it was decided that these water-rights were in the Crown in the right of the Dominion, instead of in the Crown in the right of the province, as had been presumed up to that time. The situation has been a very awkward one, in consequence, because none of the people who held water-rights knew exactly where they stood. The question was attempted to be dealt with last session and the session previous by the late government, but unfortunately they did not succeed in getting their Bill through the House. There is one point that I would like to bring to the attention of the hon. leader of the House. First of all in regard to this question of the protection of rights already existing. It does not seem to me that is made very clear. Clause 3 of the Bill says:

> The property in and right to the use of all the water at any time in any watercourse within the Railway Belt shall, for all purposes, be deemed to be vested in the Crown, unless and until and except only so far as some right therein or in the use thereof inconsistent with the right of the Crown, and which is not a public right or a right common to the public, is established:

In an important matter like this I think it is necessary that the matter should be defined, therefore, I propose to take that up when we go into committee. There is also another matter that I would like to bring to the attention of the House; the late government, and I understand the present government are continuing the policy of surveying these creeks. A staff of hydrographic engineers were put in the field last year at considerable expense to the government and did exceedingly good work. I would like to have that work continued, as it is most important. Before you can really deal with this question you must know how much water there is in the creeks. The provincial government never undertook this work until a year ago, and as far as I know their work has not been satisfactory. I understand the Dominion government at the present time is carrying on a survey of the water-ways in the four western provinces, and in the Railway Belt in British Columbia. I would suggest that that should be continued, because I think it would be much more satisfactory to have it done that way and not to drop the work in the Rail-

way Belt in British Columbia. I hope this Bill will settle this matter and make the conditions much better than they are.

Hon. Mr. LOUGHEED—What is the objection my hon. friend has to clause 3?

Hon. Mr. BOSTOCK—I do not think it is definite with regards to the words 'is established.' Apparently that part of the clause is supposed to deal with the question of existing rights, There is nothing to say what the words 'is established' mean. I propose to move an amendment to that clause when we go into committee, and I will hand that clause to my hon. friend.

Hon. Mr. LOUGHEED—I understand this clause 3 was largely modeled at the instance of the member for South Wellington (Mr. Guthrie) in the other House.

Hon. Mr. BOSTOCK—I did not know that anybody in the other House knew anything about the local conditions as they exist in the Railway Belt.

The Bill was then read a second time, and the House resolved itself into Committee of the Whole.

(In the Committee.)

Rt. Hon. Sir RICHARD CARTWRIGHT—There are two or three things in this Bill which require some consideration. There is also the message that has been returned to us from the House of Commons. We have allowed my hon. friend to get through a number of questionable measures.

Hon. Mr. LOUGHEED—I can understand the sense of guilt which my hon. friend feels.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not want to burden my soul with more guilt before I get absolution from some competent authority to-morrow. I think we had better arrange to have some time to consider all these matters, and leave over some of the Bills until Monday morning. There is the Bill respecting the Temiskaming and Northern Ontario railway which requires some consideration, and then there is a message from the other House about the Tariff Commission, and that requires some consideration. These are the only two I am concerned in. I do not know what other matters my hon. friend will bring forward.

Hon. Mr. LOUGHEED—I think anything else we have will be perfectly harmless

Rt. Hon. Sir RICHARD CARTWRIGHT—Anything under a million I suppose you would call harmless.

Hon. Mr. LOUGHEED—I am not aware of any other grants. I should be very glad that the measures my right hon. friend has mentioned should stand over until Monday morning. I am informed that they are practically through in the House of Commons, and that prorogation will take place on Monday afternoon.

Hon. Mr. BOSTOCK—I propose moving an amendment to clause 3. The province of British Columbia passed a Bill at the last session of the legislature which amended that Act. I suppose that can be considered.

Hon. Mr. LOUGHEED—The Governor in Council reserves the right to approve of or reject any amendment.

Hon. Mr. EDWARDS, from the committee, reported that the committee had made some progress with the Bill, and asked leave to sit again on Monday.

CANADIAN NORTHERN ALBERTA RAILWAY SUBSIDY BILL.

Hon. Mr. LOUGHEED—We have practically concluded everything of consequence with the exception of the two Bills referred to by my hon. friend. The last order for the day is a Bill to aid the construction of the Canadian Northern Alberta railway.

Hon. Mr. BOSTOCK—This is a guarantee of the principal and interest on the bonds of that road, and it states that the road may run fifty miles west of the British Columbia boundary. We passed a subsidy yesterday giving $12,000 a mile, and British Columbia has also guaranteed interest on the bonds on that same road.

Hon. Mr. LOUGHEED—There must be some mistake about that. This Act guarantees the bonds of this company from a point 150 miles westerly from St. Albert for a distance not exceeding 115 miles in the Yellowhead Pass. As I understand, it does not go into the province of British Columbia. It simply goes to the boundary line between British Columbia and Alberta.

SECOND AND THIRD READING.

Bill (189) An Act to aid the construction of the Canadian Northern Alberta railway.

The Senate adjourned until Monday at 11 a.m.

THE SENATE.

MONDAY, April 1, 1912.

The SPEAKER took the Chair at Eleven o'clock.

Prayers and Routine Proceedings.

COMPENSATION TO SEALERS.

INQUIRY.

Hon. Mr. MACDONALD inquired:

If the question of compensation to sealers who are, or may be debarred from prosecuting the sealing industry, has been settled? If so, when will the interested parties be paid?
Will sealing under the modus vivendi be permitted this year in the Pacific?
Will there be any new sealing regulations this year?

Hon. Mr. LOUGHEED—The answers are as follow:

1. As the advance payment of $200,000 by the United States, contemplated by Article XI of the Pelagic Sealing Treaty of the 7th July last, has not yet been received, the government has not considered the question of compensation.

2. There is no modus vivendi for this year. Sealing in the area covered by the treaty will be allowed as provided for by it.

3. Answered by No. 2.

Hon. Mr. BOSTOCK.

MANITOBA BOUNDARIES BILL.

INQUIRY.

Hon. Mr. BELCOURT inquired:

Has the government or any member thereof received any communication, verbal or in writing, from any religious body, or from heads of any religious body collectively or individually, praying that the Manitoba Boundary Bill be not passed this session? And if any such communication has been so received, when and from whom, and will the government produce such communication or communications?

Hon. Mr. LOUGHEED—No communication has yet been received by the Premier's office or the office of the Secretary of State, and no answer as yet received from the other departments.

I would point out that if any such communication were had it would be had through the Prime Minister's office, or the office of the Secretary of State.

INSPECTION ACT AMENDMENT BILL.

FIRST AND SECOND READINGS.

A message was received from the House of Commons with Bill (78) An Act to amend the Inspection and Sale Act.

The Bill was read the first time.

Hon. Mr. LOUGHEED moved the second reading of the Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—If there is anything of importance in this Bill I shall object to its passing.

Hon. Mr. LOUGHEED—I think I may safely say there is not. When we go into committee there are some minor changes to be made in it.

Hon. Mr. CLORAN—Would the hon. gentleman state what the changes are.

Hon. Mr. LOUGHEED—The law clerk is preparing them now.

Hon. Mr. CLORAN—That is strange, moving the second reading now when the hon. gentleman does not know what the Bill contains or what amendments are to be made to it.

Hon. Mr. LOUGHEED—If there is anything objectionable in the Bill when we go into the details it can be discussed.

Rt. Hon. Sir RICHARD CARTWRIGHT —If there is anything objectionable it must stand over.

Hon. Mr. LOUGHEED—It must stand over; but from a perusal of the Bill, so far as I can see, it is simply a matter of departmental machinery.

Rt. Hon. Sir RICHARD CARTWRIGHT —It may be of no consequence, but it is not proper to bring forward such a Bill on the morning of the day we prorogue. We will consider it, of course, when it comes before us.

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

SALARIES OF SENATE OFFICIALS.

The SPEAKER presented a report and recommendation with reference to increase of salaries of officers of the Senate:

The undersigned has the honour to represent that when the organization and classification of the staff of the Senate took place under chapter 15 of the Statutes of 1908.

1. The chief French translator who, in the House of Commons, in first division, subdivision 'A' and who is now in first division, subdivision 'B,' was through misapprehension placed in a class which is not the one assigned to similar officers in the House of Commons.

2. That the clerk of routine and proceedings and the clerk of stationery who, in the House of Commons is placed in the first division, subdivision 'A,' and who is now in first division, subdivision 'B' was, through misapprehension placed in a class which is not the one assigned to similar officers in the House of Commons.

3. That the three French translators were placed in the second division, subdivision 'A,' and were through misapprehension, placed in a class which is not the one assigned to similar officers in the House of Commons.

4. That the clerk in the Law Department and stenographer was placed in the second division, subdivision 'B' and was, through misapprehension, placed in a class which is not the one assigned to similar officers in the House of Commons.

5. That the postmaster was placed in the second division, subdivision 'B' and was, through misapprehension, placed in a class which is not the one assigned to similar officers in the House of Commons.

The undersigned is of the opinion that those officers properly belong:—

1. The chief translator (J. Bouthillier Trudel) to first division, subdivision 'A.'

2. The clerk of routine and proceedings and clerk of stationery (J. C. Young) to first division, subdivision 'A.'

3. The three French translators, J. Bouchard, W. Chapman and L. DeMontigny, to first division, subdivision 'B.'

4. The clerk of the Law Department and stenographer (Arthur Hinds), and the postmaster (J. Choquette) to second division, subdivision 'A.'

He, therefore, recommends that they be so classified in the future and that the organization and classification of the staff of the Senate be corrected accordingly.

(Signed) P. LANDRY,
Speaker of the Senate.

Hon. Mr. LOUGHEED—I move that this recommendation be considered at the next sitting.

Hon. Mr. POWER—There probably will not be very much chance to discuss this matter at the next sitting of the House, and I think that it is just as well something should be said about it now. I do not raise any question as to the presentation of this proposed change in the classification of our officers, but I wish to call attention to the fact that this memorandum proposes a very considerable increase in the salaries of the officers of this House, and being presented at this stage of the session, it gives the Senate no chance to consider the merits and claims of these several officers. The right course to pursue with respect to this recommendation would be to send it to the committee on Internal Economy, so that each case might be considered on its merits. I am a little surprised at the sweeping character of the recommendation, because we have already before the House two memoranda from the Clerk, one of which provides for an increase to the salary of the stenographer and assistant to the law clerk, who is a most deserving officer, and I supposed that that would be pretty nearly all. I had heard of one other increase which I thought was not unreasonable, but this is really a wholesale increase of salaries of gentlemen, some of whom I respectfully submit are being now paid quite as much as their services are worth, and a great deal more than they would be paid in any other employment. I make this statement because I propose, if I am alive at the next sitting of this House, to oppose this.

Hon. Mr. CLORAN—There is a principle as old as christianity, and that is that charity begins at home. The hon. gentleman has been a consenting party to extravagant expenditures of this government

on behalf of certain provinces in other works. This is picayune business. The Senate is recommending a small increase to the officers of the staff. Let us protect our own rights. We are protecting Prince Edward Island and giving that province an extra $100,000; we are giving McBride $6,000,000 for one of his roads, Ontario $2,000,000 and Manitoba another $1,000,000. Why should a hon. member rise at the last moment and object to the citizens of Ottawa, who are undergoing the expense of high living, a few paltry dollars. I think this is a small business, especially in view of the fact that we are giving away millions, and that we have a surplus of $39,000,000. Why does not the hon. gentleman protest against the extravagant expenditure of millions instead of the few paltry dollars given to officers whose families need it. I thoroughly disagree with the hon. gentleman on this question.

The motion was agreed to.

A QUESTION OF PRIVILEGE.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think the Senate is properly treated in having the desks of those of us who take some interest in the affairs of this body removed when we are going to have considerable debate. I can carry things in my head as well as most men, but I do not choose always to go into discussions of matters which may involve serious questions without having some papers to refer to, and one of two things ought to have been done: Prorogation should have been postponed until these matters could have been disposed of decently and in order, or we should have been left in possession of the material which we may require to carry on any discussion. It does not appear to me that the Senate is being treated with proper respect in having our desks removed, particularly the desks of myself and my hon. friend opposite, until the business of this sitting at any rate is disposed of. I do not approve of it.

Hon. Mr. LOUGHEED—I can readily have my right hon. friend's desk brought in, and it can be afterwards removed.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am not going to be made a single and solitary exception. Having put in a protest I waive my right to have my desk, but I do not think it is respectful to the Senate that these things should be removed. I hope nothing will occur to prevent our passing the Supply Bill this afternoon, though I am not quite sure. I desire to call the attention of my hon. friend to another matter, to which he may or may not be in a position to give an answer, but probably he will be able to furnish an answer at three o'clock. We have passed an Act recently which appears to me to be in direct conflict with an Act of the imperial parliament. Do my hon friend's colleagues propose to get that Act of the imperial parliament removed? Without venturing upon an opinion on the point of law, my impression is very strong that if the Act to which I allude, increasing the subsidy of Prince Edward Island, is brought before the courts in any shape, that the courts would have to decide that, under the imperial Act, which cannot be altered by us, is ultra vires, void and waste paper.

Hon. Mr. LOUGHEED—I am unaware whether the attention of the government was directed to the point that was taken by my right hon. friend on that subject.

Rt. Hon. Sir RICHARD CARTWRIGHT —Can my hon. friend obtain the information by three o'clock ?

Hon. Mr. LOUGHEED—If the legal obstacle which my right hon. friend has pointed out be a valid one, I suppose the parties would have recourse either to the courts or to secure such legislation as has been intimated. So far as the passage of the grant by this parliament is concerned, it stands upon our statute-books. If it can be paid over to Prince Edward Island it will be paid in pursuance of that Act. If the imperial legislation stands in the way of it being paid, it simply remains to be said that something else will have to be done. I presume whatever is done will be done legally. If the Act has the effect my right hon. friend has pointed out, I apprehend there will be no defiance of any imperial legislation such as he has mentioned.

Hon. Mr. CLORAN—Does the hon. leader of the government not think that the government of the day is the custodian, not only of Canadian laws but of imperial laws, and that the government of the day should introduce no legislation antagonistic to either Canadian or imperialistic law? He says the attention of the government was not directed to the point. It is not the business of anybody to direct attention to any point; it is up to the government to safeguard these rights and Canadian interests. I think the point raised by the leader of the opposition is well taken, and if this measure were brought into the courts of the country or before the Privy Council, it would be set aside as ultra vires, and as a violation of the imperial Act, and now the leader of the government here says the attention of the government was not directed to it.

The SPEAKER—I call the hon. gentleman's attention to the fact that there is nothing before the Chair.

Hon. Mr. CLORAN—When anybody else talks there is something before the Chair. I am answering——

The SPEAKER—We have our order paper.

Hon. Mr. CLORAN—We have our order paper and we have the desks away.

The SPEAKER—Orders of the Day.

ST. JOHN AND QUEBEC RAILWAY SUBSIDY BILL.

THIRD READING.

Hon. Mr. LOUGHEED moved:

Third reading (Bill 188), 'An Act to aid the construction of certain bridges on the Saint John and Quebec Railway Company, and to confirm an agreement between the company and the government of Canada and New Brunswick.'

He said: I have made further inquiry as to the reason of the organization of a bridge company for the purpose of carrying out the construction of those two bridges. It was primarily brought about in this way, that owing to the fact of the New Brunswick government guaranteeing the bonds of the road and not feeling themselves able to guarantee the bonds of the bridges, it was felt necessary that there should be a subsidiary company incorporated for the purpose of building the bridges, and that has been accordingly done for the purpose of convenience. My hon. friend can readily appreciate that it can be carried out that way more readily than otherwise.

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

STATUTORY INCREASES OF SENATE STAFF.

MOTION.

The order of the day being called:

Consideration of the letter from the Clerk of the Senate, recommending the annual increase to the members of the staff of the Senate, and the concurrence of His Honour the Speaker therein.—Hon. Mr. Lougheed.

Hon. Mr. LOUGHEED moved that the Senate confirm the recommendation of his hon. the Speaker.

Rt. Hon. Sir RICHARD CARTWRIGHT—This refers simply to the statutory increases?

The SPEAKER—Yes, where the statutory increases are allowed. Those that are up to the mark do not receive any more.

Rt. Hon. Sir RICHARD CARTWRIGHT—How many are up to the mark?

The SPEAKER—Take the law clerk, Mr. Creighton, for instance; he receives an increase of only $50. That brings him up to his full salary.

Hon. Mr. POWER—I do not rise to object to the adoption of this motion, but I think in future if the Senate is to have any proper control over its staff, the memoranda of the clerk, endorsed by the Speaker, should be presented at a reasonable time before prorogation, so that the Senate might have an opportunity to consider the cases. There are some items in this list as to which I think there might be differences of opinion, but I do not propose to say anything about them now. If his hon. the Speaker makes a practice of presenting these statements a day or so before

prorogation, the Senate practically lose control of their staff. I speak now in order to indicate that in future sessions these classifications and recommendations should come in sufficiently long before prorogation to enable the Senate to deal with them in a satisfactory manner.

Hon. Mr. TAYLOR—I am but a new member of the Senate, but so far as I have learned as yet, I have come to this conclusion, that if any merchant or manufacturer conducted his business as the business of the Senate is conducted he would soon be in the hands of the Insolvent Court. No business could be run as the Senate is being run, and I do not believe in running the public business in a different way from the way I would manage my own business. A subcommittee should be appointed to investigate this matter and ask parliament next session to remove from under the Civil Service Act altogether the staff of the two Houses. Let us deal with them as a business concern would deal with their employees. Some of the salaries that are paid in connection with the Senate and the House of Commons to officials for doing practically little or nothing, are outrageous. In my employ I can get a first-class book-keeper, who works from seven in the morning till six in the evening for $1,200 a year. I have made it a rule since I started in public life to do for the public as I would do in my own business, and I cannot consent to the way this matter is being dealt with.

The SPEAKER—Those are statutory increases, provided for by law.

Hon. Mr. WATSON—Those salaries referred to in the report are statutory increases, but bearing out what the hon. gentleman has just said, we have the increases suggested by your honour to-day, and it is certainly not according to law, placing men higher up than they are.

The SPEAKER—That is not the question before the House.

Hon. Mr. WATSON—I know, but—

The SPEAKER—The hon. gentleman has no right to anticipate a debate on another report.

Hon. Mr. WATSON—I think I am perfectly in order.

The SPEAKER—I beg the hon. gentleman's pardon. I have given my ruling and I will not allow him to disregard it unless he appeals to the House. I have ruled that you cannot anticipate a discussion on a subject that has not yet been before the House.

Hon. Mr. POWER—On the point of order, I may say this document, to which the hon. member from Portage la Prairie refers, is a document which has been laid on the Table of the House. It is the property of the House.

The SPEAKER—Certainly.

Hon. Mr. POWER—And it is a matter which is very relevant to the question now before the House.

The SPEAKER—Not at all.

Hon. Mr. POWER—The hon. gentleman has a perfect right to——

The SPEAKER—I call the hon. gentleman to order. I have given my decision and he has no right to discuss it unless he appeals from my decision.

Hon. Mr. WATSON—Very good; I appeal from the decision of the Speaker. I move that the ruling of the Chair be not sustained.

The Senate divided on the motion, which was adopted: Contents 17, non-contents, 8.

The SPEAKER—The decision is reversed. I will reverse it another time.

Hon. Mr. POWER—The hon. gentleman has no right to say that he will reverse the decision of the House.

Hon. Mr. WATSON—I entirely agree with the sentiment expressed by the hon. member from Leeds (Hon. Mr. Taylor), when he states that the business of the Senate is not done the same as any other business in the country. I have said before and I

wish to express it again, that we ought to remove the Senate staff from the Civil Service Act. We have those changes made, and as I have a right now to refer to the changes recommended by the Speaker, I say it is placing the chief translator and three other officials in different classes not provided for in the Civil Service Act. We are placing these gentlemen in a different class altogether, which will entitle them to about $1,000 a year more than they have been receiving. I do think that the Senate would do well at its next session to introduce a Bill to have the staff removed from the Civil Service Act. We can get a better service from our staff when they are absolutely under the control of the Senate. Before the Civil Service Act was passed they did their work fully as well as it has been done since, and any man who was deserving received fair consideration at the hands of the Senate and was paid what he was worth.

TARIFF COMMISSION BILL.

COMMONS MESSAGE CONSIDERED.

The order of the day being called:

Consideration of the message from the House of Commons disagreeing to the third amendment made by the Senate to (Bill 88), 'An Act to provide for the appointment of a Tariff Commission.'

Hon. Mr. LOUGHEED moved that the Senate do not insist upon their amendment to which the Commons object.

Rt. Hon. Sir RICHARD CARTWRIGHT —I should like to accommodate my hon. friend, but I must differ from him on this occasion.

Hon. Mr. LOUGHEED—I make the motion for the purpose of bringing the matter before the House and having it decided one way or the other? The amendment objected to is the third amendment, and the ground of the objection is because the special inquiry called for is irrelevant for the purpose of the Bill, except in so far as it is already provided for by the other provisions of the Bill, and is unnecessary.

Rt. Hon. Sir RICHARD CARTWRIGHT —I may just observe, for my hon. friend's information that these amendments were largely modified in order to meet certain objections made by my hon. friend and one or two of his supporters. The demand was that information as to the amount of money actually expended and other things which certainly do come up in the case of mergers, should be included. Some parts which were contentious and might involve more or less delays were struck out at the Table here. The other is information which is found I think in the census returns, but is practically useless for the public or for the government to form any decision upon, by reason of the fact that those census returns necessarily are two or three years after date, sometimes five or six years after date. The information wanted, which the House can judge of for itself, is information which can be very readily obtained in connection with those inquiries which these gentlemen must make, and it is simply information which the public should have when a proposition is made to increase taxation.

Hon. Mr. LOUGHEED—When this matter was under discussion I stated the reasons why the amendments proposed by my right hon. friend along the line indicated were regarded as objectionable by the government. They propose to enlarge the scope of the commission beyond the point that it was contemplated the commission should make inquiry into. It was thought, particularly by the Department of Finance, that making it obligatory on the commission to obtain that information would interfere with the purpose the commission has in view, namely, to obtain information strictly for the purpose of dealing with the tariff. I can quite appreciate the force of what my right hon. friend has said as to the necessity of parliament being seized with that class of information, but it should come through the Census Bureau.

Rt. Hon. Sir RICHARD CARTWRIGHT —It comes so late.

Hon. Mr. LOUGHEED—I fully appreciate that fact, but it seems to me that our census machinery should be improved in some such way as to permit our having a

bureau of information accessible where information such as my right hon. friend refers to can be obtained. The public service is particularly deficient in furnishing that class of information to parliament. I quite agree as to the desirability of having that information, but it is not information of that character that the Tariff Commission is designed to procure.

Rt. Hon. Sir RICHARD CARTWRIGHT—All the information I asked for can be obtained in very short order, I think, by the tariff commission in connection with the inquiries which it must make.

Hon. Mr. LOUGHEED—As my right hon. friend knows there are some clauses of a general character which would permit a very wide scope being exercised by the commission, under the directions of the minister, as to procuring information of almost any character. However, we have discussed this at such length that nothing more can be decided one way or the other.

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

Contents 11; non-contents 22.

Rt. Hon. Sir RICHARD CARTWRIGHT—I move that a committee consisting of Hon. Messrs. Kerr, Power and myself be appointed a committee to draft reasons which we will present at three o'clock.

The SPEAKER—The right hon. gentleman might have permission to draw the reasons immediately and send them to the House of Commons.

The motion was agreed to.

RAILWAY BELT WATER BILL.

THIRD READING.

The House resolved itself in Committee of the Whole on Bill (149) An Act respecting the Water in the Railway Belt and Peace River Block of Land.

(In the Committee.)

Hon. Mr. LOUGHEED—The Department of Justice has been consulted as to the proposed amendment of my hon. friend from British Columbia, and it has been pointed out that this would lead to confusion and would not be desirable for this reason: while the transfer of the grant of land of the Railway Belt in British Columbia to the federal government was formally made in 1884, there is a long standing contention as to when the transfer really took place. There were a series of negotiations between 1880 or 1881 and 1884, as to this particular belt, that is between the government of British Columbia and the federal government. It will be seen that the proposed amendment fixes it as of 1884. In view of the difficulties which I have pointed out and of the uncertainty as to when this transfer actually took place—that is as to its effect in law, namely within the period of 1881 and 1884—it would be very undesirable that parliament should pronounce upon that fact. I would also point out to the House that whatever rights my hon. friend got were obtained from the province of British Columbia, and can be in no way affected by this legislation. This only proposes to have the British Columbia government administer the water-rights on behalf of the federal government, an arrangement which is terminable at any time by this government and it does not purport to transfer to the province of British Columbia any rights, or to take away any rights which may have been dealt with by British Columbia. Therefore, I would ask my right hon. friend to accept the Bill as it is prepared, so that the province of British Columbia may administer the water-rights within the Railway Belt under the Water Act of 1909.

Hon. Mr. BOSTOCK—I am afraid I do not exactly follow the argument of my hon. friend in this matter, because my amendment provides, as I intended it, for two things. First of all it confirms any rights granted or otherwise disposed of by the Crown in the right of Canada; that is from the time it took over the Railway Belt to the time this question was settled. The latter part of the amendment provides that it does not affect any right granted by the province of British Columbia previous to 1884. It is immaterial whether the date is made 1884 or 1880, but I think it is rather an important question for the people in-

terested in this matter in British Columbia to know just what the date is, because a large number of these water-rights have been granted, and they might be in rather a peculiar position, especially under this arrangement which the government has, whereby they can cancel this arrangement with the provincial government at any time.

Hon. Mr. LOUGHEED—My hon. friend cannot be interested, I presume, in the administration of the water-rights, inasmuch as all the rights he had came from British Columbia, and it is proposed to administer the water-rights under the machinery of the provincial Act. He therefore could not object and would be in no way injured. But hon. gentlemen will see the futility of this Chamber attempting to settle a very complicated constitutional question—at least a question involving possible constitutional problems to be determined—at this sitting. This is a matter possibly that the courts may yet have to determine. It has been an unsettled question ever since the transfer took place whether it took place under the statutes of 1884, and hon. gentlemen will observe that this is a pronouncement practically as to when that transfer did take place.

Hon. Mr. BOSTOCK—The hon. gentleman spoke as if this were rather a personal matter to myself. I have water-rights in the Railway Belt; one of them was granted in 1871, and the other one some time in 1884. I speak not only in regard to myself, but also in regard to the people generally in the Railway Belt who have water-rights, and I think it is going to be a very serious, and probably expensive, matter to them if we have to go before the courts with this question, as my hon. friend admits we may have to do.

Hon. Mr. LOUGHEED—This Bill does not propose to affect existing rights. It simply proposes transferring to British Columbia the administration of the water-rights in the Railway Belt. We could not possibly, even had we time at our disposal, settle so important a question as that. It is peculiarly a question for the courts to settle as to the transfer of that belt between the two governments.

Hon. Mr. CLORAN—What are we getting for the transfer? Anything?

Hon. Mr. LOUGHEED—There is a dual administration at present of the water-rights in that province; that is, as to the water-rights in the Railway Belt and the waters in the province of British Columbia. It is proposed that these water-rights should be administered by the provincial government in the same way in which they administer their own water-rights.

Hon. Mr. CLORAN—Do we get anything out of it?

Hon. Mr. LOUGHEED—If there is any profit it enures to this government, and it is terminable at any time.

Hon. Mr. CLORAN—If the water-rights are worth a million dollars, this government gets half, or is it a free gift to the British Columbia government? The water-rights are becoming more valuable every day, and the transfer of Dominion rights to provincial governments without any consideration should, I think, be held over for further consideration. They have enough already. We voted them $6,000,000 yesterday and it is time to call a halt. Why will the government not vote something to a Liberal government?

Hon. Mr. LOUGHEED—Inasmuch as a problem is involved it is not proposed to have this Act brought into force except by proclamation by the Governor in Council, and I shall point out to the minister the desirability of the department looking fully into the question raised by my hon. friend before the proclamation is made.

Hon. Mr. CLORAN—It should be done before the law is passed.

Hon. Mr. LOUGHEED—It is not intended that any such rights shall be interfered with.

Hon. Mr. CLORAN—I object to power being placed in the hands of the Governor in Council. When a law is passed it is the law, and the time to look into it is before the law is passed. Once it is on the statute-book you cannot get rid of it, and

I am opposed to the Dominion government handing over its property to another province without any compensation and justification. The hon. leader of the government has just stated that they will look into it after the law is passed; that is too late.

Hon. Mr. BOSTOCK—On the statement made by the leader of the government, if I understand it aright, that the vested rights existing at the present time, if any, will not be in any way interfered with or impaired by this arrangement, and that they will be looked into before the proclamation is made, I would be willing to withdraw my amendment.

Hon. Mr. LOUGHEED—I understand the Bill is not designed to interfere with vested rights which have been given by the British Columbia government, which they had authority to deal with. If any complication of the kind arises I shall be very glad to direct the attention of the department to it, with a view of having it corrected. The Bill simply means to transfer for the temporary administration water-rights within that belt, and it is terminable at any time, under conditions mentioned in the Bill, should the federal government be dissatisfied with the administration of those rights in British Columbia.

Hon. Mr. BOSTOCK—This is such a very complicated question that it is very likely my hon. friends will find that they have a very difficult situation on their hands, and one which eventually they will not be able to carry out, and it may be necessary to come to parliament again and work it out.

The amendment was withdrawn, and the clause adopted.

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

The Bill was read a third time and passed.

Hon. Mr. CLORAN

TEMISKAMING AND NORTHERN ONTARIO RAILWAY SUBSIDY BILL.

SECOND READING.

Hon. Mr. LOUGHEED moved the second reading of:

Bill (186) An Act to authorize the granting of subsidies to the government of Ontario in aid of the construction of the Temiskaming and Northern Ontario Railway.

He said: This is a subsidy Bill having as its object the granting of a subsidy to the Temiskaming and Northern Ontario railway, of $6,400 per mile for a line of railway from North Bay on the Canadian Pacific railway to Cochrane on the Grand Trunk Pacific railway; not exceeding 252·8 miles.

(ii) For the following branch lines of railway:

(a) From Englehart to Charlton; not exceeding 7·8 miles;

(b) From Cobalt to Kerr Lake; not exceeding 3·9 miles;

(c) From Iroquois Falls to Timmins; not exceeding 33·16 miles;

(d) From Nipissing Junction to North Bay; not exceeding 2·18 miles.

The entire distance falls somewhat short of 300 miles. This is a road that has been built by the governmeent of Ontario having as its object the opening of a large belt of country with which hon. gentlemen are more or less familiar. For a number of years since the construction of this road the Ontario government, as represented by the present government, and as represented by the former government of that province, made application to this government for a subsidy, contending that no distinction should be made in the granting of subsidies as between the building of a road by a provincial government or by private parties. I might say, without any hesitation, that if the building of this road had been entered upon by private parties or private corporation, or an ordinary railway company, the government of Canada would undoubtedly have granted this subsidy. I think probably hon. gentlemen who may be opposed to the principle involved in this Bill would concede that much. There is another concession, I think, which would readily be made as to this Bill, that

if the operation of this road, notwithstanding its having been built by the Ontario government, should not be successful, if it should have been a failure, the central government would undoubtedly have come to the assistance of the province, as it has on other occasions, and have assisted in the building of this road to the extent of the subsidy now asked for. Because the province has made a success, I do not say a financial success—I am unaware as to whether the road is really a profitable one.

Mr. WATSON—Yes, paying 100 per cent.

Hon. Mr. LOUGHEED—I know my hon. friend has made that statement, but I understand that is not the case at all. It is an economically administered road, owing to the development of the gold and silver mines in that northern country. It has been able to do a very large volume of business, and therefore, for a colonization road, is undoubtedly in a successful position. But that should not be urged as a reason why the province of Ontario should not be placed in the same position as other railway corporations, or individuals, who, under the conditions mentioned by me, would have received assistance for the building of this particular road. There is another reason, and that is, it is a link, and a very important link, of the National Transcontinental railway. If it were not for the Temiskaming road and for the running agreement which has recently been entered into between the government and the Grand Trunk railway, it would be impossible, without the construction of another road, to reach the main line of the National Transcontinental railway. If it were not for the existence of this particular road, a road would have to be projected from the system of the Grand Trunk at North Bay to the main line of the National Transcontinental, and, this being the case, this government if asked by the Grand Trunk Pacific to grant a subsidy for the building of such a link would undoubtedly grant that subsidy. This government has already granted a subsidy for a similar purpose to the Grand Trunk Pacific. Therefore, I say, that as it is a necessary link in the operation of the National Transcontinental railway, bringing it into touch with the settled portions of Ontario, that alone should be a ground for the assistance which is now provided for in this Bill. Let us assume for a moment that this road was not built, and that it was simply a road projected for the purpose of developing the resources of that northern country, as it has already done, the settlemnt of the clay belt, and of the mineral resources in that northern country, and the promoters of such a road would make application to this government, would this government hesitate to place it on an equality with the other roads which have received similar assistance? Not for a moment—this government, and the late government, would have assisted. There is another consideration in addition to those which I have mentioned, and which will possibly appeal to my right hon. friend more strongly than any of the others, and that is that in the distribution of the railway subsidies the province of Ontario should not be overlooked. This is a subsidy looking particularly to the development of a railway enterprise which, possibly, may yet be in its infancy. The Temiskaming and Northern Ontario is but a small factor of the road which it will become eventually. It will eventually probably reach the shores of the Hudson bay and open up that northern country to an extent almost unlooked for. But there is no reason why the province of Ontario should not be placed in the same position in the distribution of railway subsidies as the other provinces of the Dominion, notwithstanding the fact that the government has built this road and has been operating it successfully.

Hon. Mr. BELCOURT—Will the subsidy apply to the new parts of the railway or to the old?

Hon. Mr. LOUGHEED—It applies to the old and to the branches. The branches are mentioned on the back of the Bill.

Hon. Mr. TALBOT—If we grant this subsidy to this Ontario road, will that place the road under the Railway Act, and under the control of the Railway Commission as to rates? The argument that I have used all through the western part of the coun-

try in favour of giving subsidies to railways was that by doing so we had the government control of the rates to be charged. If the Railway Commission is to have control over the rates on that road I might feel inclined to support this measure. Otherwise I doubt if I would. The hon. gentleman said that certainly Ontario should receive the same consideration as some of the other provinces do in this way, and I think it is right. Although the government has not said so openly, its actions have indicated that the provinces that are friendly to the present government are certainly being well treated. Anybody would notice that by glancing over a few of the Bills that have come through in the last few days; the province of British Columbia is receiving $6,000,000; New Brunswick, $1,600,000; Prince Edward Island is receiving an annual grant of $100,000; Manitoba, $2,000,000; and now we have the province of Ontario also asking money.

Hon. Mr. DANIEL—How many supporters of the government did Prince Edward Island return?

Hon. Mr. TALBOT—One for the opposition, and three for the government. I am referring to local legislatures in these provinces. It is so plain that everybody should see it. They are showing partiality to the provinces that have provincial legislatures in sympathy with the federal government. If these grants are going to be given as bonuses to provinces who will vote in favour of Conservative legislators, I think it is wrong. I believe the people of the country have an idea of fair-play and justice, which the present government apparently does not regard.

Hon. Mr. LOUGHEED—The province of Quebec has returned a majority in support of the Liberal government and yet Quebec is receiving a very much larger subsidy than any other province.

Hon. Mr. TALBOT—I did not refer to the number of members elected to this parliament by the other provinces. I had reference to the politics of the local legislatures.

Hon. Mr. TALBOT.

Hon. Mr. LOUGHEED — The Quebec legislature is Liberal, and yet that province is receiving $7,244,800 in subsidies as against $4,944,800 in Ontario.

Hon. Mr. WATSON—No, the railway companies are receiving it.

Hon. Mr. LOUGHEED—My hon. friend, refers, I presume, to the subsidies?

Hon. Mr. TALBOT—No, I refer to the special grants made directly to the provinces.

Hon. Mr. POPE—That is not under discussion.

Hon. Mr. LOUGHEED—What grants?

Hon. Mr. TALBOT—$100,000 to Prince Edward Island, and $1,600,000 to New Brunswick, and this grant to Ontario.

Hon. Mr. LOUGHEED—This is a railway subsidy.

Hon. Mr. TALBOT—All of these are by direct arrangement with the provincial legislature, and the Bill mentions that, while the other four provinces, with Liberal legislatures, have no arrangement made with them.

Hon. Mr. CLORAN—The hon. leader has not answered the question asked by the hon. gentleman from Lacombe (Hon. Mr. Talbot), and that was, in view of the fact that this government was going to grant a bonus of $2,000,000 to the Ontario system of railroads, whether that system would come under the control of the Railway Commission?

Hon. Mr. LOUGHEED—No, not necessarily. Ontario has a Railway Commission of its own which administers the railways in that province.

Rt. Hon. Sir RICHARD CARTWRIGHT—But you are declaring this to be a work for the general advantage of Canada.

Hon. Mr. LOUGHEED—I presume if it is declared to be a work for the general advantage of Canada, that would bring it within the jurisdiction of the Dominion board.

Hon. Mr. KERR—Has that enactment been made? It is not only a preamble?

Hon. Mr. LOUGHEED—I have not said so. I must say my attention has not been directed to that. It simply provides that it is a work of national and not merely provincial utility.

Rt. Hon. Sir RICHARD CARTWRIGHT—In that case the logical inference is clear that it should be brought under the Railway Commission.

Hon. Mr. LOUGHEED—That would involve a mutual arrangement between the two governments. It would be scarcely proper for this government to seek to forcibly bring that railway, which is peculiarly a provincial undertaking, operated by the provincial government, under the Dominion Act. In fact the government could not do it without the consent of Ontario.

Rt. Hon. Sir RICHARD CARTWRIGHT—If you call it a national work of national importance, it should surely come under the Railway Commission.

Hon. Mr. JAFFRAY—As I have had something to do with this railway and know something about it, I take the liberty of saying a few words in regard to it. In the first place, this road is already constructed. It is a paying road and has already demonstrated that the outlay will make a return to the government for all that has been spent upon it. If the road were to be put into the market now to be disposed of, I believe the government could make a very handsome profit in turning it over to the different railways who would be only too glad to get it. In the first place this road was really constructed, or laid out, as a road for developing the country and improving the condition of settlement in that country.

Hon. Mr. WATSON—A colonization road.

Hon. Mr. JAFFRAY—Instead of that they have been charging rates that have been very much complained of and very unsatisfactory to those who are on the road, and it is not, I consider, really answering the purpose. If it had I think there would be more justification for this grant. The only reason given for the grant is that several provinces having received other grants Ontario should not be left out. I think this is the worst reason that can be given because the whole system is vicious, and calculated to bring us into a great deal of trouble, both at the present time and in the future. We seem to think that because we have an overflowing treasury there is no end to the amount we may squander—I could not use any milder word in describing the aid given to the provinces. I regret exceedingly that the reason given is altogether indefensible.

Hon. Mr. EDWARDS—I certainly am not here, nor was I in the Commons, a hair-splitter, by any manner of means, but this goes far beyond anything of that kind. I voted for the small grant to Prince Edward Island. The plea of pauperism had been set up in regard to that province; a disgraceful plea for any province of the Dominion to make, but, on the strength of the plea that was made in that respect, and in consequence of the speech of one of my hon. friends who sat opposite, I yielded and voted for it. Here is a vote which affects my own province of Ontario, which cannot be regarded as in a pauper condition. Ontario is able to take care of its own affairs, and if this vote is clearly unnecessary for Ontario, it is an improper vote and I cannot support it. Regarding the other provinces certain pleas were set up, and gentlemen who represent these provinces are ready to explain them, but I, as an Ontario man, would feel disgraced if Ontario accepts this vote. What is the nature of the railway? It is owned by Ontario, not by any railway company, but is a provincial road belonging to the richest province in the Dominion of Canada, and it comes to this parliament and asks for assistance of this nature. I think every man in Ontario ought to be ashamed of such action. Ontario requires nothing of the kind. There is a broad feeling in the country against bonusing even independent railway companies. I for one have never been able to come to that conclusion in this sparsely settled country. I have always believed up to the present,

and perhaps up to some time in the future, that railway companies, on their own basis, of their own means, cannot construct railways; but when a great province like Ontario is constructing a road the idea of a grant to Ontario is something that I cannot believe hon. members will sustain for one moment. I for one am opposed to it.

Hon. Mr. CLORAN—I like fair debate and I like fair legislation. A very plain question was put to the government by the hon. gentleman from Lacombe (Hon. Mr. Talbot), and he was given a very plain answer. The question was that in view of the fact that parliament is about to vote a bonus or free gift of over $2,000,000 to Ontario on behalf of a certain railroad, if that railroad would thereby, as a consequence, come under the Railway Commission. The leader of the government in this House immediately stated that it would not. That was his first answer. Then the right hon. leader of the opposition said: 'But the work is declared to be of national advantage to Canada.' Then the hon. leader of the government said: 'Well, if that be the case, I presume it will have to come under the commission.' Are we passing legislation and laws on presumption? Even with the hon. leader, able man as he is, too able, his presumptions do not amount to anything. We want our laws in black and white. He has not given an answer. I think this is slip-shod legislation. The hon. leader of the government is from the west. He appealed to this House to grant to the poor province of Ontario a bonus, a free gift over $6,400 per mile on nearly 300 miles. Does the hon. leader of the government know the condition of things in the province of Ontario? Does he not know that Ontario never piled up one dollar of debt on behalf of railways? Is he not aware of that fact?

Is he not aware of the fact that the entire provincial debt of the province of Quebec was due to subsidizing railways almost to the extent of $33,000,000, while the province of Ontario never piled up one dollar of debt on behalf of its railway system—never as long as the Liberals were in power? Now my hon. friend makes a plea to us to grant to this rich province a bonus for a road which is paying actually, according to the hon. member from Toronto (Hon. Mr. Jaffray), large dividends. The government must take many of us here as people who know nothing, as long as they have friends to serve, but I am not one of that kind. I know something of the history of the country, and when the hon. gentleman makes an appeal of that kind to the House I do not know whether he does so for want of respect—it cannot be want of respect, because the hon. member is too much of a gentleman for that—but it is not according to the facts and not according to the necessities of the situation. The province of Ontario is not entitled to one cent on this road. It has made a paying investment and is not in the same position as Prince Edward Island. There is neither necessity nor justification for the expenditure. The Ontario government has been amply justified in the construction of the road by the large returns they are getting from it. As the hon. member from Toronto (Hon. Mr. Jaffray) said, if that railway were sold to-day it would bring a good profit to the province. All these measures which have been brought down in the past ten days have but one object and purpose in view, that is to fatten the fund of the Conservative party for the next general election, two or three years from this. All their donations out of the national treasury have been made to their friends in the several provinces, and I have never seen, in the history of the British Empire or the history of Canada, where a Liberal majority has helped a Tory minority to carry their measures. The hon. leader of the government may be proud of his work. He is meek when it suits his purpose and he uses the iron hand in the velvet glove when necessary. He is a most astute politician. He has pulled the wool over the eyes of the senators, just as he did in the case of the hon. member from Russell (Hon. Mr. Edwards) who has admitted that he voted for a most improper measure, simply because the leader of the House made out that the people of Prince Edward Island were paupers. Now he sets up Prince Edward Island against New Brunswick, and says: 'If you vote $100,000

to Prince Edward Island, I will give a million towards the construction of three bridges over the St. John river.' What is the result? Representatives of one province say to representatives of the other province: 'I will vote for you, and you will vote for me.' Is that not a fair picture of the situation, according to their own admission? The point I want to make is this: if this railroad is to get two million dollars it must come under the Railway Commission, and there must be no supposition about it. It has to be a square declaration of it; and the next thing is this, that the leader of the government need not plead poverty on behalf of Ontario, because four-fifths of the debt in Quebec is made up of subsidies to railroads. These are facts which should be explained, but through the personal hypnotism of the leader of the government he is able to draw a veil over our eyes and to get what he wants. If I had a few behind me like myself he would not get one of these measures through, because they are not in the interests of Canada.

Hon. Sir MACKENZIE BOWELL—I have listened with a good deal of attention to the discussion on this subject. Some of the speeches have been of a very serious character, while others have been amusing. Some of those who have spoken are not acquainted with what Ontario has done to aid the construction of railways. While it may not have given direct money subsidies, it has given millions of acres of land to aid construction of railways in the Algoma district, and about Sault Ste. Marie particularly. Ontario has not been remiss in that respect. I was somewhat surprised at the remarks made by the hon. member from Toronto (Hon. Mr. Jaffray), because he does know something about the construction of this road, having been one of the commissioners who had control of the enterprise at its inception, and I have no doubt he did his duty. The idea that prevailed and guided the government of Ontario in undertaking the construction of the Temiskaming and Northern Ontario railway, was to make it a colonization road. It was not for the purpose of reaching the mining districts, because they were not known to exist at that time. Had those mines not been discovered, it is doubtful if the road would ever have paid. I doubt, if even now, it is paying so handsomely as has been represented. It was only the other day that Mr. Graham, the member for South Renfrew in the House of Commons, stated that it was misrepresentation to say that that road was paying to the extent mentioned. That it is paying running expenses I believe, but that is because of the opening up of the mining district. My hon. friend from Russell (Mr. Edwards) has expressed his strong opposition to granting subsidies, and were it not for the sparsity of settlements he would oppose it altogether.

Hon. Mr. EDWARDS—That is not the position I took. I said there was a strong feeling arising throughout the country in opposition to granting aid for the construction of railways. I said that in my humble opinion in our sparsely settled country, railway companies must be aided, but the position I took with regard to this particular railway was that it is not owned by a railway company, but is owned by the province of Ontario and therefore does not require this aid.

Hon. Sir MACKENZIE BOWELL—I can see no difference between the construction of a railway for colonization purposes by a government and the construction of such a road by a private company. The hon. member from Algoma says that this road should be under the Railway Commission. I fully concur with him in that, and he has evidence of the fact, when I voted for the motion of my hon. friend from De Lanaudière (Hon. Mr. Casgrain) the other day, with reference to putting the Intercolonial railway under the management of the Railway Commission. Whether it is defensible that there should be two Railway Commissions, I do not intend to discuss, but the railway which we are now considering, is under the management of the Railway Commission. My hon. friend from Toronto (Hon. Mr. Jaffray), says that the charges on the Temiskaming and Northern Ontario railway are enormous. They were at one time, but that

was before the development of that northern portion of the country, and when it was necessary to charge the rates in order to meet the expenditure. The rates are gradually coming down and will be reduced as circumstances justify reduction. But is it a new departure to aid railways and governments in this Dominion?

Hon. Mr. JAFFRAY—Yes.

Hon. Sir MACKENZIE BOWELL—In the county in which I live, there is a railway which runs to Eldorado. An additional subsidy was given to put that road in a state of repair. In Quebec, when the Canadian Pacific railway took over the north shore road, a large sum of money was granted to the Quebec government, a million dollars, if my memory serves me. They had expended that sum upon the road and insisted on being recouped by the Dominion government. I may be told that that road was not owned altogether by the government.

Hon. Mr. CLORAN—The hon. gentleman is mistaken.

Hon. Sir MACKENZIE BOWELL—I may be told that it is not a parallel case, but so far as the government is concerned it is a parallel case, because the Quebec government got a portion of the money expended upon the north shore road. Then you come to the province of New Brunswick. Long years after confederation that portion of the road running down to Moncton was taken over to form part of the national railway system, and the sums which New Brunswick had invested in that road were paid back to the province. I remember distinctly that the question came before the government of which I was a member, and Sir Leonard Tilley refused to acknowledge the claim. When the late government came into power, it paid over the money to New Brunswick.

Hon. Mr. THOMPSON—But the New Brunswick government has not retained the road.

Hon. Sir MACKENZIE BOWELL—I said so; I said that it formed part of the Intercolonial railway, and the money invested by New Brunswick in that road was refunded. In Nova Scotia you find precisely the same thing happened when the Eastern railway was taken over by the government, Nova Scotia was refunded some $650,000 that it had invested in that road when it was taken over as part of the Intercolonial railway. Ontario comes forward to-day, and says 'we invested money in this colonization railway as the other provinces have done, and we claim that we are entitled to the same consideration that they have received.' Then there are cases in the maritime provinces where roads have been taken over and those who had invested money in them were relieved of their responsibility of the indebtedness for the loss constantly accruing in the operation of the road. Those who had built the road got a large proportion of their money back. The principle has been applied in every other province, and why should Ontario be treated in a different manner? The legislative Assembly of Ontario adopted a resolution applying for this subsidy before their was a change of government at Ottawa, and, if my recollection serves me right, the government acted upon that, but did not receive anything. The claim of Ontario is as equitable as any claim that has ever been presented from a province. It may be stated that the claim is made now, because the Conservative party is in power but the same principle has been recognized in dealing with every province, and as the leader of the House has pointed out, Quebec is receiving in the Subsidy Bill twice as much as Ontario.

Hon. Mr. CLORAN—Not Quebec.

Hon. Mr. WATSON—It is the railways of the province of Quebec.

Hon. Sir MACKENZIE BOWELL—I stand corrected; I should have said companies, but what is the difference? If the government come forward and say: 'We will construct this road if we recerve aid from the Dominion,' what difference is there whether the road is built by a company or by the province? The hon. gentlemen opposite may vote this down as they voted down other measures, but that does not affect the equity of Ontario's claim. I

agree with the hon. member from Rockland (Hon. Mr. Edwards), when he says that Ontario is not in a state of poverty, but that is no argument against the claim. The wealth of a company, an individual or a government, should not be a cause for refusing to recognize a just claim. A man is entitled to his just rights whether he happens to be rich or poor.

Hon. Mr. BELCOURT—This is an entire departure from every principle and rule followed in matters of this sort. As I understand it, subsidies are granted to railways in aid of construction. We have never departed from that, and what justification is there for granting a subsidy to a railway which is almost wholly constructed at the present moment? The term used in the proposed grant is 'in aid of construction,' yet here we are asked to subsidize a railway which is almost completed. Is not this encouraging other provinces to build railways with the expectation that the Dominion will pay for them? The hon. and venerable gentleman from Hastings (Hon. Sir Mackenzie Bowell) has told us that this road when it was begun was constructed without any idea that it would open up a rich mining country, but at that time the government of Ontario knew that they could not count on getting a subsidy from the Dominion.

Hon. Mr. LOUGHEED—They have applied for it from time to time.

Hon. Mr. BELCOURT—They undertook to build it without aid, and then found valuable minerals in the country through which it passes which have made the road a profitable undertaking; yet on top of that they come to the parliament of Canada and ask the Dominion to pay for the railway. I am a representative of Ontario and my duty is for the people of this province, but we are establishing a very serious precedent in asking for this subsidy. It is the first case of the kind, notwithstanding what has been said to the contrary. In the other cases which have been mentioned where provincial governments asked to be recouped for money put into railways taken over by a company the circumstances were different; not in any case have they asked the Dominion to recoup them for building provincial roads. And what a spectacle it is for the great, rich and populous province of Ontario, the banner province of the Dominion, coming here as a mendicant and asking the government of Canada to recoup it for building a railway which is to-day a paying investment to the people of Ontario. Surely the government has gone the limit in this instance. Surely the time has come when a halt should be called. Can we find fault with the little province of Prince Edward Island coming here and asking for a paltry $100,000 when Ontario takes such a stand? What would be thought of a family if a big brother who is prosperous comes to his parents and asks for his share? Every member of the family would make a similar demand. This is setting a very bad example to the other provinces of the Dominion. If we pass this Bill we will have them coming year after year asking for special favours of this kind.

The SPEAKER—Will the hon. gentleman move the adjournment of the debate? There are several messages from the Commons to be considered before we adjourn.

Hon. Mr. BELCOURT—I have about finished what I have to say but I object to the Speaker interfering in this way.

Hon. Mr. BOSTOCK moved that the debate be adjourned till the afternoon sitting.

The motion was agreed to.

FIRST AND SECOND READINGS.

Bill (195) An Act to amend the Act of the present session, intituled 'An Act respecting the Ottawa, Montreal and Eastern Railway Company.'—Hon. Mr. Belcourt.

Bill (194) An Act to amend the Act of the present session, intituled 'An Act respecting the Montreal Central Terminal Company.'—Hon. Mr. Watson.

The Senate adjourned until this afternoon at 2.30 o'clock.

SECOND SITTING.

MONDAY, April 1, 1912.

The SPEAKER took the Chair at 2.30 p.m.

Routine Proceedings.

Rt. Hon. Sir RICHARD CARTWRIGHT—Perhaps the hon. leader of the House is in a position to give us some information on the subject which he promised to look into touching our right to interfere with imperial legislation?

Hon. Mr. LOUGHEED—No, I am sorry to say I entirely overlooked it in the multiplicity of business, and I have not had an opportunity of seeing the members of the government.

PRINCE EDWARD ISLAND SUBSIDIES BILL.

A CORRECTION.

Hon. Sir MACKENZIE BOWELL—Before the Orders of the Day are called, I should like to make a partial correction of a statement I made with regard to the subsidies that have been paid to the different provinces. My memory has been refreshed by the hon. member from Rigaud (Hon. Mr. Boyer), who tells me that the Quebec government did not receive any money at the time of the sale of the North Shore road.

I have a distinct recollection of what took place at the time between certain parties and the government, and I was under the impression that part of the purchase money was paid to Quebec. My hon. friend assured me that was not the case. Upon reflection I think I went a little too far when I called to mind the parties with whom the transactions took place, and I have no desire to have left on record anything which is not strictly accurate as far as I know.

MONTREAL CENTRAL TERMINAL COMPANY BILL.

THIRD READING.

The order of the day being called:

Third reading Bill (194) An Act to amend the Act of the present session, intituled 'An Act respecting the Montreal Central Terminal Company.'—Hon. Mr. Owens.

Hon. Mr. CAMPBELL—Hon. Mr. Owens, who has had charge of this Bill during the session, has left for home, and I have failed to get in touch with the solicitor for this company, and therefore I do not like to see the Bill passed in its present shape. The Bill was passed by the Senate and went to the House of Commons, and now another Bill comes back, amending the former Bill, within two hours of prorogation, when all those interested in the Bill are absent. I move, therefore, that this Bill should be read this day three months, and if it is necessary to make amendments next session, it can be done.

Hon. Mr. WATSON—This Bill, and Bill (195) which was under discussion before lunch, were amended in the Senate Railway Committee without any notice, that is, in regard to the clause affecting easements. They are both Montreal Terminal Bills, and the argument was advanced before the Railway Committee that inasmuch as the Canadian Northern had those clauses introduced in that Bill, that it was fair to insert it in these Bills. The Canadian Pacific railway asked for the same thing but was refused. These Bills were referred to the House of Commons, and in turn referred to the Railway Committee, who struck those two clauses out of the Bill because no notice had been given of them; the House of Commons moved to adopt the amendment of the Senate, paying no attention to the recommendation of the Railway Committee of the House of Commons, and then the Bills came up and were allowed to pass. This Bill is to correct a mistake that was made in the House of Commons by not adopting the report of the Railway Committee of that House.

Hon. Mr. YOUNG—It is clearly an error on the part of the House of Commons, and they are endeavouring to correct it. The effect of the amendment is that the clauses struck out by the Railway Committee of the House of Commons shall not come into effect except by proclamation of the Governor in Council. The error was made in both these Bills in the other House. The Minister of Railways took a decided stand on this matter. I would ask my hon. friend from York (Hon. Mr. Campbell) whether they would not be in a better position with these Bills on the statute-book than if they were not passed.

Hon. Mr. WATSON—I beg to move the third reading of the Bill.

Hon. Mr. LOUGHEED—If this Bill has been brought in by the government to correct errors in former Bills, I think the hon. gentleman had better consent to its going through, because it would go through next session in any event.

Hon. Mr. CAMPBELL—All right.

The Bill was then read the third time, and passed.

CLASSIFICATION OF STAFF OF THE SENATE.

ORDER OF THE DAY DISCHARGED.

The order of the day being called:

Consideration of the report of the Speaker of the Senate on the organization and classification of the staff of the Senate.

Hon. Mr. LOUGHEED—The discussion on this report would doubtlessly involve some little time. I would suggest, in the interests of the officials of the Senate who are interested, that the Speaker should withdraw the report and present it at the next session of parliament. The Senate can then take up the subject, and if any injustice has been done in classification of the officers, we could make it relate back to the date of the present report.

The SPEAKER—I think that is the best way to deal with it.

The order of the day was discharged.

TEMISKAMING AND NORTHERN ONTARIO RAILWAY SUBSIDY BILL.

DEBATE RESUMED—BILL DEFEATED.

Hon. Mr. BOSTOCK—This Bill is very much in the same position, although not exactly on the same line, as the Bill we put through the House the other day relating to British Columbia. The same question comes up in both these cases, that the Dominion government has no control over these railways on account of the way the legislation is brought in. It is a question whether we should allow the granting of subsidies in this way to railways, over which the Minister of Railways of this government and the Railway Commission have no control. I am very much opposed to the whole matter. I regret very much that the Bill which was before the House the other day went through as it did; I opposed the matter at the time, and I should have taken other steps but for the fact that I was misled in regard to the matter, and did not move in the way I should have done had I understood it was looked upon as a money Bill, and that it could not be amended.

Hon. Mr. LOUGHEED—There has been a large number of cases in which provincial roads have received aid just as in this case, although I cannot put my hand on them at present.

Hon. Mr. EDWARDS—Roads owned by the provinces?

Hon. Mr. LOUGHEED—Oh no.

Hon. Mr. EDWARDS—This is not a provincial road in that respect.

Hon. Mr. BOSTOCK—I asked my hon. friend the question the other day with regard to one road in British Columbia under the general Subsidies Act, and he promised to look into it, but did not refer to it when the general Subsidies Act was going through. With regard to other provincial roads it was understood, I think—and I think I am right in saying that the question was argued in the other House—that up to the decision which was given in the courts a short time ago the government was supposed to have complete control over every provincial road that applied to this government for a subsidy, that the very fact of this government granting it a subsidy, made it a road for the general advantage of Canada, and brought the provincial road under the control of the Dominion government automatically. Unfortunately the courts seemed to have held otherwise, and therefore, I think it is a question

for the government to see that legislation is brought in at the next session, providing that any railway that applies to the Dominion of Canada for a subsidy automatically comes under the control of the Railway Board, and under the control of the Minister of Railways of Canada. It would place the whole matter in a very much more satisfactory condition, and would, in the long run, I think, be very much for the benefit of the general public. They would then have only one Railway Board to deal with, and they would only have to consider what the findings of that board were with regard to the question of rates. In British Columbia I think we are going to have a great deal of trouble and bother over that question, and the people in that particular case have not got what they think they have, but only time will show what the result will be. I think the same question applies to this railway that is now before us, and I simply want to put myself on record that I am sorry I did not take a more decided action with regard to the Bill of the British Columbia Railway Company the other day.

Hon. Mr. BOYER—There are, it strikes me, other reasons why this subsidy should not be granted. Not later than this morning we passed a Bill giving the Grand Trunk railway running rights over this road, and the sum mentioned was $300,000 of a subsidy to this road. I have read somewhere —although I have not time to put my hand on the authority just now—that the actual cost of that road when first started was $15,000,000, and the sum of $20,000,000 was offered to the Ontario government for the road. Two million more have been spent on the road making the cost $17,000,000 and I am told they could to-day sell the road for $25,000,000. Why should the Dominion government grant a subsidy of $2,000,000 to a road that is not only paying its way but is paying a dividend? You cannot call it a baby industry; it is already established and doing a large business. Talking about provincial subsidies, my right hon. friend from Hastings (Hon. Sir Mackenzie Bowell) has corrected his mistake. When the Quebec, Montreal and Occidental railway was built, it was constructed with provinicial money—not one single farthing of federal subsidy was granted to the road. After the road was in operation, the then government decided it was highly indecent for a local government to own a road, and they sold it to their own friends for $7,000,000. It cost $14,000,000, and when my hon. friend talked about the federal government being held up, I may say that those who bought the road immediately bonded it for an extra million, and sold it to the Canadian Pacific railway. They did not want to pay that extra million, and the central government was asked to use its influence so that the new purchaser should get this extra million.

Hon. Mr. POPE—I am delighted to have an opportunity of voting on the principle of this Bill. I absolutely disagree with hon. gentlemen on the other side of the House.

Hon. Mr. KERR—That is strange.

Hon. Mr. POPE—Not strange—it would be peculiar if I did. In the first place, the fact that this road is a success, has nothing to do with the question. What particularly pleases me, is that it is a government-owned railroad operated by the province of Ontario. I am absolutely opposed to company owned railroads. I am in favour of government ownership of railroads, and it is a great pleasure for me to vote for any measure tending in that direction, no matter how indirectly it may come. If the people are going to have an opportunity of getting out of the hands of corporations that have held them up in the country for many years, as has been spoken of so many times by hon. gentlemen on the other side, I should think they would be delighted to seize an opportunity, small as it may be, by which they might escape from the hold-up organizations which they had denounced so thoroughly in all the legislatures of Canada. But instead of that, when the opportunity arises that a great province like Ontario has taken hold of the development of the northern country and has made some success of it, lo and behold, because that road is not a

non-paying concern but is a profitable organization, because it has developed that country and is not a privately-owned concern manipulated, bonded and full of watered stock placed in the market to defraud people—because it has not all those elements about it which are associated with the general railroad development of this country, we are not to give them encouragement in that line. I am delighted to be able to vote for this Bill.

Hon. Mr. CLORAN—I cannot agree with the hon. gentleman. If it was a private corporation that built the road costing $15,000,000, for which to-day they could get a price of from $20,000,000 to $25,000,000, that is making good money on the running of the road, and making large dividends, would the hon. gentleman, as a legislator, come to this parliament and invite them to give it a bonus of $2,000,000?

Hon. Mr. TALBOT—It is impossible to convert the hon. gentleman.

Hon. Mr. CLORAN—But I want to make his folly known to the public. He would not invite parliament to give a bonus to a private corporation who had constructed a road at the expense of $15,000,000, which is worth $25,000,000 to-day and paying all expenses, and taking money out of the annual revenue for capital purposes, and now he comes here begging for a rich government $2,000,000 of our money. Is that a fair proposition to tax the country and parliament? That settles the hon. member. The hon. member from Rigaud (Hon. Mr. Boyer) has called the attention of the House to a very grave mistake made by the hon. member from Hastings.

Hon. Mr. DERBYSHIRE—He corrected that.

Hon. Mr. CLORAN—I do not know whether the Speaker is regular in calling the House at half past two when the regular hour is three o'clock. I left here after one o'clock, came back before three and found the business nearly all through. I think all the proceedings at the present time are unconstitutional.

The SPEAKER—Does the hon. gentleman raise the point of order?

Hon. Mr. CLORAN—No. I am glad to know, at the last moment, that the hon. gentleman from Hastings has retracted his remarks with regard to the building of our railroads in Quebec. I told him, and I told the leader of the government, that Quebec had indebted itself to the extent of $33,000,000 when Ontario had not indebted itself to the extent of $1, and now we have this rich province coming to the Dominion begging for $2,000,000 on behalf of an enterprise that is paying. Is that fair and proper? I see the finger on the purse—the late minister of the Ontario government coming down here and taking the money to pile it up for the next election. All this legislation is calculated to increase the election fund for the next election. I am bright enough to see it. The hon. leader of the House cannot pull the wool over my eyes, and he chuckles to himself in being able to secure votes to carry his government by measures which are not in the interest of the country, but in the interest of a separate province. I am not prepared to sit idly by at the last hours of the session and see all this done. I do not blame the hon. leader of the House for doing his duty, probably too well, as far as the interests of the country are concerned.

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

Hon. Mr. LOUGHEED moved the third reading of the Bill.

The House divided on the motion, which was rejected on the following division:

Contents, 8; non-contents, 21.

INSPECTION AND SALE ACT AMENDMENT BILL.

POSTPONED.

The order of the day being called.

Committee of the Whole House in Bill (78), An Act to amend the Inspection and Sale Act.—Hon. Mr. Lougheed.

Hon. Mr. CAMPBELL—This is a very important Bill. It purports to amend the Sale and Inspection Act, an Act containing 360 clauses, and now within an hour of prorogation we have this amending Bill before us when there is no time to examine

it and see what the effect of it would be upon the trade of the country. There are many clauses of this Bill that I do not think the government have carefully considered. Under the circumstances the leader of the House ought to agree to let it stand over until another session. If we go into committee there are a good many clauses of it which I will have to discuss at considerable length, because I think they would affect the trade of the country very much. I find that there is a new subsection added to section 149, which makes it imperative for every miller or dealer to mark every bag of flour, no matter how large or how small. It is the practice of the millers of Ontario, as I suppose it is of millers in other places, to sell flour or feed in bags, and when the bags are emptied they are sent back and filled again and sent perhaps in a different direction altogether. It will make it exceedingly awkward and entail very great loss—

Hon. Mr. LOUGHEED—If it is my hon. friend's intention to criticise the Bill in committee it is manifestly impossible for us to dispose of it to-day. That is to say if my hon. friend is opposed to the provisions of the Bill, there is no alternative but to let it stand.

Hon. Mr. CAMPBELL—I am very glad of that.

With the leave of the House the order was withdrawn.

OTTAWA, MONTREAL AND EASTERN RAILWAY COMPANY BILL.

THIRD READING.

The order of the day being called.

Third reading Bill (195), An Act to amend the Act of the present session, intituled 'An Act respecting the Ottawa, Montreal and Eastern Railway Company.'

Hon. Mr. CLORAN—I should like an explanation of this Bill.

Hon. Mr. YOUNG—This Bill is on a par with Bill (194).

Hon. Mr. CLORAN—That is no explanation.

Hon. Mr. YOUNG—It is a Bill which has been passed by the House of Commons to correct an error in a Bill passed during the present session. The explanation I gave of Bill (194) applies to Bill (195).

The Bill was read a third time and passed.

THE SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (193) An Act for granting to His Majesty certain sums of money for the public services for the financial years ending respectively 31st of March, 1912, and the 31st of March, 1913.

The Bill was read the first time.

Hon. Mr. LOUGHEED moved that the Bill be read the second time.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is my duty, as a member of the late administration, to tender my thanks to the present government for the admirable way in which they have justified Sir Wilfrid Laurier and his government. The charges which they brought against those gentlemen have been most amply refuted by the action of my hon. friend and his colleagues. One charge was that Sir Wilfrid Laurier and his colleagues had grossly neglected their duty in not moving for some legislation with respect to what is known as the Ne Temere Decree, but when these gentlemen were confronted with a Bill for the purpose of dealing with that subject, they adopted the identical course which Sir Wilfrid Laurier and his Minister of Justice had declared was the only course that could be adopted under the circumstances. As for the naval policy, they more than justified my hon. friend; they complained that he did not do enough, and they proposed to remedy his misconduct, as they termed it, by doing nothing at all, and they will continue, in my judgment, to do nothing probably for another year or two at the very least, so that by the time they have made up their minds as to what they are going to do, the German peril will have gone with the Yellow peril, with the Russian peril, with the French peril and a good many other perils I have seen exploded in my time, and are in this Bill which is now before us; these men, who from one end of Canada to the other

for years and years made it the main charge against Sir Wilfrid Laurier's cabinet that they were grossly extravagant in the management of public affairs, these men now come down with a Supply Bill demanding many millions more than the largest sum the late government ever asked for, many millions more both on capital account and on ordinary account. I see that the estimates which were brought down last session, all told, amounted to $156,000,000, of which $109,000,000 were on consolidated funds account and the remainder on capital account. Those were stated to be most extravagant estimates. In the supplemental estimates and main estimates asked for in this Supply Bill I find the government demands, not $109,000,000, but something much nearer $116,000,000 or $117,000,000, and a much larger increase in regard to the amount required on capital account. So that whereas, according to the statements before us, the late government would have been content with something like $149,000,000, all told these gentlemen require, in all probability, when we sum up the various items brought down, something like $200,000,000, more or less, for the service of the coming year. I give them their choice of an alternative: either these gentlemen were grossly in error—I will not use stronger language, though I might—in accusing the late administration of having been guilty in any respect of extravagant conduct, or they themselves are condemned out of their own mouths as being infinitely more extravagant than the men they condemned of extravagance. Which particular alternative my hon. friend chooses to accept I can not say. Were I in another place and criticising this Bill as I used to do on certain occasions, I would say those estimates remind me of nothing so much as a set of banditti who had captured a gold caravan and hardly knew what to do with their booty. I will deal with the plain and positive facts of the case. It cannot be entirely without interest to contrast the present expenditure of Canada with the expenditure of our neighbours. Of whatever faults the people of the United States, may have been guilty, two things they always have done for which they deserve great credit. They have always done their best to preserve intact the relations which were fixed by the constitution between the federal government and the states, and they have always, in spite of everything, succeeded in keeping down the federal expenditure to something like a reasonable limit, both matters of very great importance. I shall not apologize for reading to the House this brief statement covering the decennial periods from 1810, when their population was identically the same as ours to-day, down to 1860 before the great civil war. There are facts there which the people of Canada will do well to lay to heart, facts which, properly understood, ought to startle them. I have long been of the opinion that our expenditure was assuming far too great proportions and endeavoured to check it as far as I might, though not as successfully as I would have wished.

UNITED STATES.

	Receipts.	Expenditures.	Population.
1810..	$ 9,384,000	$ 8,474,000	7,239,000
1820..	14,573,000	18,284,000	9,633,000
1830..	28,525,000	15,132,000	12,866,000
1840..	19,480,000	24,000,000	17,069,000
1850..	43,592,000	40,448,000	23,193,000
1860..	56,554,000	63,200,000	31,443,000

CANADA.

	Receipts. (Estimated customs and excise.)	Expenditures.	Population.
1912..	$105,000,000	$95,000,000	7,250,000

So when the United States had a total population four times as great as ours their expenditure was just about one-half of ours to-day and their total taxation about one-half the taxation which the government of this country tell us is necessary to carry on the affairs of the Dominion. Now, if anybody complains, as possibly he might complain, that these were old times and money is not worth as much to-day as it was then, I say it is true, but that is no sort of an explanation of the enormous disparity to which I have referred; and as I mentioned some time ago, but the thing is worth repeating to-day, the total taxation of the United States is now a little under six hundred million dollars, for a population of ninety-four millions. The annual charge per head for all kinds of federal expense, army, navy and the big pension list, is something like $6.40 per head, while our taxation amounts, according to the state-

ments laid on the table of the House, to considerably over one hundred million dollars and our charge per head to something very like $14 or $15. Nor is that the least part of it. In addition to that, as everybody knows, in this country while taxation is extremely heavy in some parts it is extremely light in others, and the consequence is that certain portions of this Dominion are enormously taxed, perhaps as heavily taxed as any portion of the British Dominions, not excepting England itself. Now there is one other remark I have to make with respect to this measure—that is, the gross partiality with which these estimates have been prepared. As has been pointed out time and again, and is apparent in every line of these estimates and every statute we are about to be called upon to sanction, wherever the government have friends the government make donations, and generous donations too. Where the administration is in the hands of gentlemen of the Liberal party, then the government can see no occasion whatever for bestowing any portion of this huge surplus at all. What has been given to Alberta, Saskatchewan, Quebec or Nova Scotia? Turn to the other side of the picture and you find Prince Edward Island donated $100,000 a year, equal to about $3,000,000 if it were capitalized. We find New Brunswick well considered, a very, I will not say inequitable, but a very liberal allowance made to New Brunswick for the administration of a railway they are about to build, and we have lately been called upon besides that to vote one million dollars, or more, for the purpose of constructing three bridges for their benefit. We proceed now to my own province, Ontario. Well, the good intentions of the government have not borne exactly the fruit they desired, so we will say nothing about it. When we come to Manitoba we find that they are presented out of the treasury with two millions odd, and in British Columbia there is at least six millions of a free donation on the part of this generous government to gentlemen who are politically in accord with it. Now I mention that to start on. What else have they done? They have, in the first place, succeeded in absolutely tearing up the British North America Act. There is not a single solitary portion of the federal compact, as it stood a matter of six months or a year ago, which these gentlemen have not completely destroyed. They have put an end to the arrangement that was made between the provinces, have defied even an imperial Act in their legislation, and I greatly doubt if they have done that legally; I am very much inclined to believe, on the contrary, that if the matter can come before the courts it will be found that these gentlemen have grossly exceeded their legal, as well as their moral right, in what they have done. They have pretty well succeeded in getting rid of the large surplus which they did not create, but which they found ready for them, and if, as I fear, the result of some of the legislation that we have been putting through will be to bring forward a huge host of demands from the other provinces, which I see no reasonable hope of deferring or refusing if they are brought forward, they will have positively by one of these Acts made provision to increase our fixed charges in a way which will practically nearly double the national debt of Canada. I am not going to dwell further on the case of our friends in Prince Edward Island except to remark this, that I believe if I could get the exact statistics from the post office authorities I would be able to show that that excellent little island is a larger depositor per head—I believe it is—in the government and post office savings banks than any other province in this Dominion.

Having dealt with what they have succeeded in doing, I wish to say a word or two as to our outlook for the future. I have before me a very remarkable statement which was laid before the House in a report presented by my hon. friend from Halifax (Hon. Mr. Power). It is one which I purpose commenting on more fully on a future occasion and it is one which no inhabitant of Canada, if he will take the trouble to study it and see what it involves, can fail to admit is a statement which calls for the most serious consideration on our part. The relative increase of the urban and rural poulation during the last decade is shown in the following table:

	Population 1911.		Population, 1901.		Increase.	
	Rural.	Urban.	Rural.	Urban.	Rural.	Urban.
Canada	3,923,454	3,280,353	3,369,018	2,002,277	554,436	1,278,086
Alberta	232,726	141,937	53,476	19,546	179,250	122,391
British Columbia	188,796	203,684	116,832	61,825	71,964	141,859
Manitoba	255,249	200,365	180,162	75,049	75,087	125,316
Saskatchewan	361,067	131,365	76,866	14,413	284,201	116,952
Totals	1,037,838	677,351	427,336	170,833	610,501	506,518
New Brunswick	252,342	94,547	252,927	78,393	— 385	21,154
Nova Scotia	306,210	186,128	320,298	139,276	— 14,088	46,852
Ontario	1,194,719	1,328,428	1,245,679	937,258	— 50,960	391,160
P. E. Island	78,758	14,970	88,304	14,955	— 9,546	15
Quebec	1,032,618	970,094	996,468	652,430	36,150	317,664
Totals	2,864,647	2,599,167	2,903,676	1,822,312	— 38,829	776,846
Yukon	4,647	3,865	18,077	9,142	— 13,430	— 5,277
Territories	16,322		20,129		3,807	

I am aware that all over the world this unfortunate tendency of leaving the country and rushing to the city is attracting the attention of economists of all classes and I am aware, too, that the best of these economists are very strongly of the opinion that wherever a country does not sell a large part of its manufactured goods outside of its own limits, the utmost proportion which should be maintained between city and rural population is two to one, and that one in three is as much as can safely be maintained. It will be seen that while the rural population in the five older provinces has absolutely diminished to the extent of 38,829, the urban population has increased by 776,846.

Hon. Mr. TAYLOR—Due entirely to the mal-administration of the late government.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is due to the late government, undoubtedly, that there was any increase at all, because under the preceding government even Ontario, rich as it was, had been reduced to such a condition of atrophy that the total increase in the ten years from 1891 to 1901 was scarcely more than the increase of the maritime provinces, and what that was he can best understand from the fact, that in New Brunswick, not the worst of the provinces, they had gained only thirty souls in ten years, under the administration of our predecessors. No argument could be brought forward to show more conclusively the enormous mischief brought to Canada by the introduction of the wretched farce known as the National Policy than the condition Ontario found itself in in the year 1901. In the decade ending that year that great and rich province barely increased by sixty-eight thousand souls, and that increase, paltry and poor as it was, had taken place under the late government, and not under their predecessors. To men who know what the real condition of things is, nothing could show more conclusively the mischievous character of the policy I have characterized than the condition to which Ontario had been reduced in the year of grace 1901. Now, I say those things require consideration and I hope my hon. friend will not give up until he has probed that matter to the very bottom. The hon. gentleman wants to know why I think this disastrous and disgraceful state of things in the distribution of population has occurred in Canada? I will tell him. For three and thirty years since the Mackenzie administration was defeated, the farmers of Canada have been penalized for

the benefit of certain privileged classes, as the hon. gentleman knows right well.

There is but one thing more to which I shall call attention and it is this: If there be one thing that ought to be clearer than another to every hon. gentleman who has taken a share in politics during the last five and twenty years, it is that the whole of the present prosperity of Canada—and I make that statement with all possible emphasis—is entirely dependent on the development of the Northwest, and the Northwest development was due entirely to the action of the late government. Here we have a case in which the present prosperity of Ontario—and it is very considerable—the present prosperity of Quebec, and in many parts it is very considerable, we have that due wholly and entirely to the development of the Northwest. I have shown how completely Ontario had been reduced to a condition of atrophy until after the year 1901, when it began to feel the effects of the revival in the Northwest. Then, I say, our prosperity, such as it is, is due to the Northwest, and the largest factor in the prosperity of the Northwest has been the huge influx of capital from the United States within the last six or seven years. Perhaps hon. gentlemen are not aware of the enormous amount of capital which has poured into that country from the United States ever since the years 1904-5. They will find in my hon. friend's report when it reaches us, a detailed statement showing that within those five or six years, something like six hundred million dollars of United States capital has been brought into this country and to that—though I do not say the entire prosperity of the Northwest is due to that—I say the phenomenal prosperity which has attended it is mainly due. And how have these gentlemen repaid it? I do not know a case of more selfish stupidity than that which has been displayed, I regret to say, by a majority of my own countrymen in the province of Ontario in dealing with the provinces of the Northwest. First of all, not content with exacting from them an enormous federal taxation, they have allowed them to be pillaged —no other word will describe it—for the benefit of privileged classes of manufacturers in Ontario and Quebec, and to crown all, when there was an opportunity of conferring a great benefit on the Northwest, when there was an opportunity of providing them with a market which would have broken, to a large extent, the effects of the misfortunes which overtook many of them owing to the inclemency of the season this last year these gentlemen deprived them at one blow of the market which might have saved them, and also took away from the maritime provinces the sole chance in a lifetime of recovering the prosperity which they once enjoyed and of which they have been deprived of late. What is the true course that statesmen should pursue under such circumstances? What is the course my hon. friend opposite (Hon. Mr. Lougheed) would pursue if he were leader of the government—and he would make a much better leader than the present one? Why, they ought to admit at once that they had, whether rightly or wrongly, been instrumental in inflicting great injury on the Northwest by depriving them of the right of entry to the huge market at their doors waiting for them, and they would prepare, by reducing the heavy burden of federal and other taxation now resting on them, to make such paltry compensation as it was possible for them to make for that error. That is the true course. I am quite certain if I could hypnotize my hon. friend and make him state the thoughts that he entertains on this subject, that is the course he would advise, and possibly he may succeed in bringing it about yet.

There is one thing I wish to add: Of all the absurdities that can be well crowded into a document like this, it does seem to me that the most absurd proposal is that we should expend hundreds of thousands of dollars for the purpose of trying to extend our trade and commerce in the remotest corners of the earth and shut the door to the greatest trade we could reasonably hope to obtain with a hundred millions of the richest and best customers in the world in the country south of us.

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

Hon. Mr. LOUGHEED moved the third reading of the Bill.

Hon. Mr. CLORAN—I should like to endorse the remarks which have been made by the right hon. gentleman (Hon. Sir Richard Cartwright) about the hon. leader of the government in this House. I hope before he meets the House next session that he will be a full fledged minister. He is worthy of the position, and I feel sympathy with him in the task he has to carry out in this Chamber.

I believe if we had three or four more like him in the present government the squandering of money would not have proceeded as it has done. I am in full sympathy with his feelings, but not with his expressions of opinion. He is bound to secrecy, and is also bound to carry out the policy of his party, and I sympathize with him for that. I hope that before the next session comes round we shall have one minister in the Senate, at least, and I think we ought to have a French-Canadian representative here. The Speaker has been crying out in this House for nine years for a French Canadian representative. I do not see why he does not see to it. I congratulate the hon. leader on the way he has conducted the business of the House, and the way he has pulled the wool over the eyes of certain members of the other party and persuaded them to vote for his measures.

The motion was agreed to, and the Bill was then read a third time and passed.

The Senate adjourned during pleasure.

This day at 4.30 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, the following Bills were assented to, in His Majesty's name, by His Royal Highness the Governor General, viz:—

An Act respecting the Department of External Affairs.
An Act to amend the Civil Service Act.
An Act to amend the Civil Service Act.
An Act respecting the Ontario and Ottawa Railway Company.
An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.
An Act respecting the Kettle Valley Railway Company.
An Act respecting the Kootenay Central Railway Company.
An Act respecting the Manitoba and North Western Railway Company of Canada.
An Act respecting the Gatineau and Ungava Railway Company, and to change its name to the Ottawa and Ungava Railway Company.
An Act respecting the United Gold Fields of British Columbia (Limited).
An Act respecting the Esquimalt and Nanaimo Railway Company.
An Act respecting the Windsor, Chatham and London Railway Company.
An Act to incorporate the Quinze River and Ottawa Railway Company.
An Act respecting the Canadian Northern and Montreal Tunnel and Terminal Company, Limited.
An Act to incorporate the Roman Catholic Episcopal Corporation of Keewatin.
An Act respecting the Rainy River Radial Railway Company.
An Act to incorporate Révillon Frères Trading Company, Limited.
An Act for the Relief of Ethel May Stewart.
An Act for the relief of William Holloway Adams.
An Act to amend the Civil Service Act.
An Act to amend the Civil Service Act.
An Act to incorporate the British Western Loan Company.
An Act to create the Biological Board of Canada.
An Act respecting the Harbour of Hamilton.
An Act respecting the Architectural Institute of Canada, and to change its name to The Royal Architectural Institute of Canada.
An Act to incorporate the Pacific Trans-Canada and Hudson Bay Railway Company.
An Act respecting the Saskatchewan Power Company.
An Act respecting the Canadian Northern Railway Company.
An Act respecting the Canadian Pacific Railway Company.
An Act to amend the Civil Service Act.
An Act to amend the Civil Service Act.
An Act to amend the Fisheries Act.
An Act respecting the British Columbia and Dawson Railway Company.
An Act respecting the Vancouver, Fraser Valley and Southern Railway Company.
An Act to incorporate The Interprovincial Fire Insurance Company.
An Act to amend the Yukon Act.
An Act to incorporate the Montreal and Lake Victoria Railway Company.
An Act to incorporate the Western Dominion Railway Company.
An Act to incorporate the Prince Edward and Hastings Railway Company.
An Act to incorporate the British American Trust Company.
An Act to incorporate Queen's Theological College.
An Act respecting certain Patents of the Continental Can Company.
An Act respecting the Alberta, Peace River and Eastern Railway Company.
An Act to incorporate the Canadian Public Health Association.
An Act for the relief of Alvena Bell Leaitch.
An Act for the relief of Isabella Helen Horncastle.

An Act for the relief of George McKay Sutherland.

An Act respecting Mexican Interurban Electric Traction Company, Limited, and to change its name to Mexican Interurban Electric Railway Company, Limited.

An Act respecting the Saskatchewan Central Railway Company.

An Act respecting Mexico North Western Transportation company, Limited, and to change its name to Mexico North Western Pacific Railway Company.

An Act respecting Alabama Traction, Light and Power Company, Limited.

An Act to incorporate the Dominion Trust Company.

An Act to amend the Criminal Code.

An Act to amend the Canada Shipping Act.

An Act to incorporate the Guarantee Life Insurance Company of Canada.

An Act respecting the Methodist Church.

An Act for the relief of Isobell Isaac.

An Act to incorporate the Universal Eyesight Insurance Company.

An Act to incorporate International Guarantee Company.

An Act to provide for the extension of the Boundaries of the Province of Manitoba.

An Act respecting aid toward the construction of the Canadian Northern Alberta Railway.

An Act to amend the Prisons and Reformatories Act.

An Act to amend the Exchequer Court Act.

An Act to incorporate the Ottawa and Lake McGregor Railway Company.

An Act for the relief of William Alexander Hunt Jenkins.

An Act for the relief of Edith Harriet Duffy.

An Act for the relief of John Angus Kennedy.

An Act for the relief of Henry Greek Wills.

An Act for the relief of Keitha Seeley.

An Act for the relief of David George Davidson.

An Act respecting the Montreal Central Terminal Company.

An Act respecting the Ottawa, Montreal and Eastern Railway Company.

An Act respecting the Ottawa, Brockville and St. Lawrence Railway Company.

An Act respecting the St. Clair and Erie Ship Canal Company.

An Act to incorporate the Grand Lodge of the Loyal Order of Moose in the Dominion of Canada.

An Act for the aid and encouragement of Agriculture.

An Act to amend the Bank Act.

An Act to amend the Quebec Savings Banks Act.

An Act to amend the Militia Act.

An Act to amend the Criminal Code.

An Act respecting the Harbour Commissioners of Montreal.

An Act to amend the Civil Service Act.

An Act to incorporate Capital Trust Corporation, Limited.

An Act respecting the incorporation of Live Stock Record Associations.

An Act to amend the Judges Act.

An Act to incorporate the Winnipeg and St. Boniface Harbour Commissioners.

An Act to amend the Yukon Placer Mining Act.

An Act respecting the Government House property, Toronto.

An Act to amend the Dry Docks Subsidies Act, 1910.

An Act to extend the Boundaries of the Province of Ontario.

An Act to provide an additional Annual Grant to the Province of Prince Edward Island.

An Act to extend the Boundaries of the Province of Quebec.

An Act to authorize the granting of a Subsidy to the Canadian Northern Pacific Railway Company in aid of the construction of the railway therein mentioned.

An Act to authorize the sale to the Province of Manitoba of certain Ordnance Lands in the City of Winnipeg.

An Act to amend the Volunteer Bounty Act, 1908.

An Act to authorize a Bounty to Volunteers who served the Crown during the Fenian Raids.

An Act to authorize the granting of Subsidies in aid of the construction of the Railways and Bridges therein mentioned.

An Act to aid the construction of the Canadian Northern Alberta Railway.

An Act respecting Grain.

An Act respecting the Grand Trunk Railway Company of Canada.

An Act to ratify and confirm certain agreements between the Temiskaming and Northern Ontario Railway Commission and the Grand Trunk Railway Company of Canada.

An Act respecting the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

An Act respecting the Imperial Loan and Investment Company of Canada.

An Act to amend an Act of the present session intituled: An Act to incorporate the Ottawa and Lake McGregor Railway Company.

An Act to amend the Act of the present session intituled: An Act respecting the Montreal Central Terminal Company.

An Act to amend the Act of the present session, intituled: An Act respecting the Ottawa, Montreal and Eastern Railway Company.

An Act respecting Queen's College at Kingston, and to change its name to Queen's University at Kingston.

An Act to aid the construction of certain Bridges on the 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 consolidate and amend the Acts relating to the Dominion-Gresham Guarantee and Casualty Company.

An Act to incorporate the British Trust Company.

An Act respecting the Water in the Railway Belt and Peace River Block of Land.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:—

In His Majesty's name, His Royal Highness the Governor General doth assent to these Bills.

Then the Honourable the Speaker of the House of Commons addressed His Royal Highness the Governor General, as follows:—

May it please your Royal Highness:

The Commons of Canada have voted the Supplies required to enable the Government to defray the expenses of the Public Service.

In the name of the Commons, I present to Your Royal Highness the following Bill:—

An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st March, 1912, and the 31st March, 1913.

to which Bill I humbly request Your Royal Highness' assent.

To this Bill the Clerk of the Senate, by His Royal Highness' command, did thereupon say:—

In His Majesty's name, His Royal Highness the Governor General thanks His Loyal Subjects, accepts their benevolence, and assents to this Bill.

After which His Royal Highness the Governor General was pleased to close the First 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:

I am glad, at this comparatively early period of the season, to be able to relieve you from further attendance in Parliament.

The diligence with which you have applied yourselves to your public duties, calls for my warm acknowledgments.

The Act to extend the boundaries of Manitoba and to make financial provision commensurate with the requirements of its enlarged area, will, I am sure, be welcomed, alike by the present inhabitants of that province, and by those who dwell in the added territory now admitted to the advantages of the Provincial status.

The enlargement of the limits of the provinces of Ontario and Quebec will undoubtedly contribute to the progress and development of those Northern territories which hitherto have been little known and which will henceforth form part of those great provinces.

Highly important and far-reaching advanages should result from the measure to aid and encourage Agriculture in concernt with the several provincial governments, which I doubt not will materially contribute to the development and progress of that great basic industry.

The Act respecting Grain—a most comprehensive measure—will, it is hoped, assist the farmer in the marketing of his produce, as well as in obtaining better prices, thus relieving him of disadvantages under which he has hitherto laboured.

Gentlemen of the House of Commons:

I thank you in His Majesty's name for the liberal provision you have made for the requirements of the Public Service.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I am happy to congratulate you on the many indications of the abounding prosperity of this country and I earnestly pray that the blessings of Providence may always attend this favoured land.

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PART I—SENATORS

The following abbreviations are used : 1st R., 2nd R., 3rd R., 1st, 2nd and 3rd Readings; *without remark or debate; Accts., Accounts; Adjn., Adjourn; Adjd., Adjourned; Amt., Amendment; Amts., Amendments; B., Bill; B.C., British Columbia; Can., Canada or Canadian; Com., Committee; Co., Company; Consdn., Consideration; Cor., Correspondence; Dept., Department; Govt., Government; His Ex., His Excellency the Governor General; H. of C., House of Commons; Incorp., Incorporation; Inq., Inquiry; Man., Manitoba; Mess., Message; M., Motion; *m.*, moved; N.B., New Brunswick; N.W.T., North-west Territories; N.S., Nova Scotia; Ont., Ontario; Parlt., Parliament; P.E.I., Prince Edward Island; P.O., Post Office; Ques., Question; R.A., Royal Assent; Rem., Remarks; Rep., Reported; Ret., Returned; Ry., Railway; Sel., Select; 6 m. h., Six Months' Hoist; Withdn., Withdrawn.

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(39) An Act resp. the Canadian Northern Terminal & Tunnel Co. Montreal, Ltd, (Mr. Casgrain): 1st and 2nd R.*, 424.

(40) An Act resp. the Can. Northern Ont. Ry. Co.: Int., 170; 2nd R.*, 224; 3rd R., 265.

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(43) An Act resp. the Cap de la Madeleine Ry. Co. (Mr. Montplaisir): Int., 119; 2nd R.*, 128; 3rd R., 198.

(45) An Act resp'g. La Compagnie du Ch. de fer de Colonisation du Nord (Mr. David): Int., 119; 2nd R.*, 128; 3rd R., 198.

(46) An Act to incorp. the British Trust Co. (Mr. Young): Int., 417; 2nd R.*, 439; 3rd R., 624.

(47) An Act resp'g. the Hamilton, Waterloo & Guleph Ry. Co. (Mr. Gibson): Int., 138; 2nd R.*, 187; 3rd R., 265.

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(51) An Act resp'g. the Pac. & Atlantic Ry. Co. (Mr. Watson): Int., 119; 2nd R.*, 130; 3rd R., 199.

(52) An Act to incorp. the Pacific Trans-Canada & Hudson Bay Ry. Co. (Mr. Bostock): Int., 283; 2nd R.*, 305; 3rd R., 425.

(53) An Act resp'g. Patents of Edmund F. Piper (Mr. Edwards): Int., 185; 2nd R.*, 225; 3rd R., 265.

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(57) An Act resp'g. the Union Bank of Can. (Mr. Kirchhoffer): Int., 120; 2nd R., 131; 3rd R., 257.

(58) An Act resp'g. the Dept. of External Affairs (Mr. Lougheed): Int., 82; 2nd R., *m.*, (Mr. Lougheed), Mr. Dandurand, Mr. Cloran, M. agreed to, 118; in Com., rem.,

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(60) An Act to amend the Civil Service Act (relating to Private Secretaries) (Mr. Lougheed): Int., 294; 2nd R., 358; rem., Mr. Lougheed, Sir R. Cartwright, Mr. Power, Mr. Casgrain, Mr. Derbyshire, Mr. Watson, Mr. Dandurand, Mr. Wilson, 358-363; in Com., rem., Mr. Power, Mr. Lougheed, Mr. Choquette, Mr. Belcourt, Sir R. Cartwright, Mr. Béique, 442-448, 449-451; rem., Mr. Lougheed, Mr. Dandurand, Sir R. Cartwright, Mr. Cloran, Sir M. Bowell, Mr. Choquette, 475-486; Mr. Lougheed, Mr. Power, Mr. Watson, Mr. Dandurand, Mr. Speaker, Mr. Kerr, 547-549; 3rd R.*, 561.

(61) An Act rep'g. the Gatineau & Ungava Ry. Co. and to change its name to the Ottawa & Ungava Ry. Co. (Mr. Tessier): Int., 283; 2nd R.*, 351; 3rd R., 489.

(62) An Act resp'g. the Kettle Valley Ry. Co. (Mr. Bostock): Int., 283; 2nd R.*, 305; 3rd R., 489.

(63) An Act to incorp. the Premier Life Ins. Co. (Mr. de Veber): Int., 185; 2nd R.*, 225; 3rd R., 367.

(65) An Act to correct certain clerical errors in the French version of the Rev. Statutes of 1906 (Mr. Lougheed): Int. 82; 2nd R.*, 101; 3rd R., 121.

(66) An Act resp'g. the Pub. Archives (Mr. Lougheed): Int., 82; M. 2nd R., rem., Mr. Lougheed, Sir R. Cartwright, Mr. Power, 97; Mr. Lougheed, Sir R. Cartwright, Mr. Kerr, M. agreed to, 98; in Com. on 3rd cl., rem., Mr. Poirier, Mr. Lougheed, 151; Mr. Poirier, 152; Mr. Landry, Mr. Tessier, Mr. Poirier, cl. agreed to, 153; on 4th cl. M. (Mr. Lougheed) to amd. agreed to, on 8th cl., rem., Mr. Poirier, Mr. Lougheed, rep. from Com. (Mr. Baird) 154; 3rd R., 170.

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(67) An Act resp'g. the Interprovincial and James Bay Ry. Co. (Mr. McHugh): Int., 283; 2nd R.*, 305; 3rd R., 420.

(68) An Act resp'g. Queen's College at Kingston and to change its name to Queen's University at Kingston: Int., 469; 2nd R.*, 551; 3rd R., 744.

(69) An Act to incorp. Queen's Theological College: Int., 469; 2nd R.*, 551; 3rd R., 744.

(70) An Act to incorp. the Roman Catholic Episcopal Corp. of Keewatin (Mr. La Rivière): Int., 325; M. 2nd R., 368; rem., 368; 3rd R., 512.

(71) An Act resp'g. a patent of the Spirella Co. of Can., Ltd.: Int., 138; 2nd R.*, 199; 3rd R., 265.

(72) An Act to incorp. the Sterling Life Ins. Co. of Can. (Mr. Taylor): Int., 185; 2nd R.*, 225; 3rd R., 367.

(73) An Act resp'g. the Vancouver Island and Eastern Ry. Co. (Mr. Mitchell): Int., 284; 2nd R.*, 305; 3rd R., 421.

(75) An Act to amend the Sen. and H. of C. Act (Mr. Lougheed): Int., 81; M. (Mr. Lougheed) for 2nd R., 81; rem., Sir R. Cartwright, Mr. Lougheed, 2nd R. postponed, 82; M. 2nd R., rem., Mr. Lougheed, 98; Mr. Forget, Mr. Cloran, Mr. Douglas, Mr. Power, 99; Mr. Lougheed, Mr. Cloran, Mr. Kerr, 100; Mr. Lougheed, Mr. Watson, order postponed, 101; 2nd R. *m.*, rem., Mr. Lougheed, 121; Sir M. Bowell, 122; Mr. Power, Mr. Lougheed, Mr. Dandurand, 123; M. agreed to, 124; in Com. on 2nd cl., rem., Mr. Power, Mr. Lougheed, Mr. Campbell, 170; Mr. Lougheed, Mr. Power, Mr. Cloran, 171; Sir M. Bowell, Mr. Campbell, rep. from Com. (Mr. Macdonald, B.C.), 172; 3rd R., 185.

(76) An Act to amend the N. T. Ry. Act (Mr. Lougheed): in Com., rem., Mr. Power Sir M. Bowell, Mr. Power, Mr. McSweeney, Mr. Cloran, Mr. Lougheed, Mr. Wilson, Mr. Bell, 381-384; 3rd R., 393.

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(78) An Act to amend the Inspection and Sale Act (Mr. Lougheed): from H. of C., 1st R., 932; M. (Mr. Lougheed) 2nd R., 932; rem. Sir R. Cartwright, Mr. Cloran, Mr. Lougheed, 932; M. 2nd R. agreed to, 933; Com., 951; rem., 951-952; order of day withdrawn, 952.

(79) An Act resp'g. the Alberta Ry. and Irrigation Co. (Mr. de Veber): Int., 284; 2nd R.*, 305; 3rd R., 421.

(80) An Act resp'g. Dominion Trust Co. Ltd. and to change its name to Dom. Trust Co. (Sir R. Scott): Int., 417; 2nd R.*, 439; 3rd R., 625.

(81) An Act to incorp. the High River, Saskatchewan & Hudson Bay Ry. Co. (Mr. de Veber): Int., 284; 2nd R.*, 305; 3rd R., 421.

(82) An Act to incorp. the Northern Territorial Ry. Co. (Mr. Watson): Int., 284; 2nd R.*, 305; 3rd R., 421.

(83) An Act resp'g. the Saskatchewan Power Co.: Int., 325; M. 2nd R. (Mr. Watson), 370; rem., Mr. Watson, Mr. Davis, Mr. Choquette, 370; 3rd R., 512.

(84) An Act resp'g. certain patents of Thos. D. Rambaut (Mr. Watson): Int., 284; 2nd R. *m.*, (Mr. Watson) rem., Sir M. Bowell, Mr. Watson, 306-307; 3rd R., 377.

(88) An Act to provide for the appointment of a Tariff Commission (Mr. Cloran): Int., 376; M. (Mr. Lougheed) 2nd R., rem., Mr. Lougheed, Mr. Gilmor, Sir R. Cartwright, Sir M. Bowell, Mr. Davis, 400-416 ; rem.. Mr. Cloran, Mr. McMullen, Mr. Watson, Mr. Campbell, 425-432; Mr. Campbell, Mr. Boyer, 433-439; Mr. Douglas, Mr. Watson, Mr. Macdonald, B.C., Mr. Bell, Mr. Dandurand, 451-466; in Com., rem., Sir R. Cartwright, Mr. Lougheed, Mr. Davis, Sir M. Bowell, Mr. Cloran, Mr. Watson, Mr. Jones, Mr. Power, Mr. Poirier, Mr. McSweeney, Mr. Taylor, 489-509; Mr. Lougheed Sir R. Cartwright, Mr. Cloran, Mr. Wilson, Mr. Derbyshire, Mr. Choquette, Mr. Dandurand, Mr. Belcourt, 625-637, 674-677, 682-687; 2nd R. agreed to, 794; Amt. (Sir R. Cartwright) adopted and rem., 850-851; 3rd R.*, 851; Amt. rejected in Commons, 915; Commons message considered; M. (Mr. Lougheed) and rem., Mr. Lougheed, Sir R. Cartwright, 937-938.

(89) An Act to incorp. the Bk. of Sask. (Mr. Ross, Moosejaw): Int., 235; 2nd R.*, 265; 3rd R., 367.

(90) An Act resp'g. the Esquimalt and Nanaimo Ry. Co. (Mr. Bostock): Int., 284; 2nd R.*, 307; 3rd R., 489.

(91) An Act resp'g. the Kootenay Central Ry. Co. (Mr. Bostock): Int., 284; 2nd R.*, 307; 3rd R., 489.

(92) An Act resp'g. the Manitoba & Northwestern Ry. Co. of Can. (Mr. Watson): Int., 284; 2nd R.*, 307; 3rd R., 489.

(93) An Act resp'g. the United Gold Fields of British Columbia, Ltd. (Mr. de Veber): Int., 284; 2nd R.*, 307; 3rd R., 489.

(94) An Act resp'g. the Windsor, Chatham & London Ry. Co. (Mr. Pope): Int., 393; 2nd R.*, 421; 3rd R., 489.

(95) An Act resp'g. the N. T. Ry. (Mr. Lougheed): Int., 256; 2nd R., *m.*, rem., Mr. Lougheed, 272-274; Mr. Belcourt, Mr. Cloran, 274; Sir M. Bowell, Sir R. Cartwright, 275; Mr. Lougheed, 276; Sir R. Cartwright, Mr. Cloran, 277; Mr. Béique, Sir M. Bowell, Mr. Belcourt, 278; Mr. Lougheed, M. agreed to, 279; in Com., rem., Sir R. Cartwright, Mr. Cloran, 284; Mr. Lougheed, Mr. Cloran, Mr. McMullen, 285; Mr. Cloran, Mr. Lougheed, M. agreed to, 286.

(96) An Act to amend the Man. Grain Act (Mr. Lougheed): Int., 185; 2nd R.*, 225; in Com., rem., Mr. Lougheed, Mr. Douglas, 237; M. (Mr. Douglas) to report progress, 238; rem., Mr. Young, Mr. Lougheed, Mr. Davis, 239; Mr. Cloran, Mr.

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(97) An Act to provide for further advances to the Harbour Commissioners of Montreal (Mr. Lougheed): Int., 294; 2nd R., M. (Mr. Lougheed), 364.

(98) An Act resp'g. the Canadian Pacific Ry. Co. (Mr. Watson): Int., 551; 3rd R., 637.

(99) An Act resp'g. the Ottawa, Montreal & Eastern Ry. Co. (Mr. Davis): Int., 376; 2nd R.*, 417; 3rd R., 572.

(100) An Act for the encouragement and aid of Agriculture (Mr. Lougheed): Int., 637; 2nd R.*, 779; Com., 788-800.

(103) An Act to amend the Govt. Works Tolls Act (Mr. Lougheed): Int., 294; 2nd R., 364; 3rd R., 393.

(104) An Act to amend the Civil Service Act (Mr. Lougheed): Int., 294; M. (Mr. Lougheed) for 2nd R., 393; rem. Mr. Lougheed, Sir R. Cartwright, Mr. Power, Mr. Dandurand, Mr. Choquette, Mr. Power, 393-6; Com., rem., Mr. Lougheed, 421; 3rd R., 425.

(105) An Act to amend the P. O. Act (Mr. Lougheed): Int., 284; 2nd R.*, M. (Mr. Lougheed), rem., 307; 3rd R., 367.

(106) An Act to amend the Civil Service Act (Post Office clerks) (Mr. Lougheed): Int., 593; 2nd R., 625; in Com., 671.

(111) An Act to authorize the payment of a Subsidy to the Collingwood Shipbuilding Co., Ltd. (Mr. Lougheed): Int., 294; M. 2nd R., 365; rem., Mr. Casgrain, Mr. Lougheed, Sir R. Cartwright, 365; in Com., rem., Mr. Lougheed, Sir R. Cartwright, 386; 3rd R., 393.

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(113) An Act to amend the Civil Service Act (Mr. Lougheed): Int., 376; Com., 113; 3rd R., 425.

(115) An Act to provide for the extension of the Boundaries of Manitoba (Mr. Lougheed): Int., 469; M. 2nd R., 524; rem., 524-542, 566-571, 573-593, 593-612, 710-744; 3rd R., 746-771

(116) An Act to amend the Civil Service Act (Customs Officials) (Mr. Lougheed): Int., 424; 2nd R.*, 473; in Com., rem., 545-546; rep. from Com., 546; 3rd R., 571.

(118) An Act to create the Biological Board of Canada (Mr. Lougheed): Int., 422; 2nd R.*, 466; in Com., 549-550; 3rd R., 561.

(123) An Act to amend the Yukon Act (Mr. Lougheed): Int., 641; 2nd R., 679; in Com., 679-682; 3rd R., 682.

(124) An Act to amend the Civil Service Act (Postmasters) (Mr. Lougheed): Int., 124; 2nd R.*, 473; rep. from Com., 546; 3rd R., 571.

(138) An Act to incorp. the Winnipeg & St. Boniface Harbour Commission (Mr. Lougheed): Int., 800; 2nd R.*, 828; in Com., rem., 851; 3rd R., 852.

(140) An Act to amend the Fisheries Act (Mr. Lougheed): Int., 551; 2nd R.*, 613; 3rd R., 641.

(143) An Act to amend the Canada Shipping Act (Mr. Lougheed): Int., 593; 2nd R.*, 625; 3rd R., 625.

(144) An Act resp'g. aid towards the construction of the Canadian Northern Alberta Ry. (Mr. Lougheed): Int., 593; 2nd R., 625; Com., 779-781.

(149) An Act resp'g. Water in the Ry Belt & Peace River Block of Land (Mr. Lougheed): Int., 894; M. 2nd R. and rem., (Mr. Lougheed), 930-931; rem., Mr. Bostock, Mr. Lougheed, 930; M. agreed to, 930; Com., 930; rem., Mr. Lougheed, Mr. Bostock, Mr. Cloran, 939-940; rep. from Com., 940; 3rd R.*, 940.

(150) An Act resp'g. the Harbour Commissioners of Montreal (Mr. Lougheed): 1st R., 787; 2nd R.*, 828; 3rd R., 828.

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(151) An Act to amend the Volunteers Bounty Act (Mr. Lougheed): Int., 872; 2nd R., and rem., 882; 3rd R.*, 882.

(152) An Act to extend the Boundaries of the Province of Ontario (Mr. Lougheed): Int., 846; 2nd R. postponed, 855; 2nd R.*, 871; 3rd R.*, 871.

(156) An Act to amend the Judges Act (Mr. Lougheed): 2nd R., 828-830; 3rd R., 848.

(165) An Act to amend the Criminal Code (Mr. Lougheed): 1st R., 787; 2nd R.*, 826; Com., 826-827; 3rd R., 828.

(166) An Act to amend the Prisons Reformatories Act (Mr. Lougheed): Int., 710; 2nd R.*, 781; 3rd R., 781.

(167) An Act resp'g. the incorp. of Live Stock Record Associations (Mr. Lougheed): 2nd R.*, 830; Com., 830; 3rd R.*, 849.

(168) An Act to amend the Exchequer Court Act (Mr. Lougheed): Int., 710; 2nd R., 781-785; 3rd R., 785.

(169) An Act to amend the Bank Act (Mr. Lougheed): Int., 710; 2nd R., 786-787.

(170) An Act to amend the Quebec Saving Bank Act (Mr. Lougheed): Int., 710; 3rd R., 823.

(171) An Act to amend the Quebec Savings B. Act (Mr. Lougheed): 1st R., 787; 2nd R.*, 787; 3rd R., 849; rem., 849-850; 3rd R. postponed, 850.

(173) An Act to amend the Volunteer Bounties Act of 1908 (Mr. Lougheed): M. 2nd R., 880; rem., Mr. Lougheed, Sir R. Cartwright, Mr. Dandurand, Mr. Thompson, 880; M. adopted, 881; Com., 881-882; rep., 882; M. 3rd R., 923; rem., Mr. Power, Mr. Lougheed, Sir M. Bowell, Sir R. Cartwright, Mr. Watson, Mr. Daniel, Mr. Taylor, 923-925; M. agreed to, 925.

(177) An Act to amend the Militia Act (Mr. Lougheed): 2nd R.*, 823; Com., 823-826.

(178) An Act to provide for an additional grant to Prince Edward Island (Mr. Lougheed): M. 2nd R., 856; rem., Mr. Lougheed, Sir R. Cartwright, Mr. Macdonald (B.C.), Mr. Derbyshire, Mr. Power, Mr Thompson, Mr. Yeo, Mr. Ellis, Mr. Prowse, Mr. Dandurand, Mr. Bostock, 857-871; Sir R. Cartwright, Mr. Lougheed, Mr. Cloran, Mr. McMullen, Mr. Power, 872-877; 2nd R. agreed to, 877; Amt. Mr. Dandurand, 918; rem., 919-923; M. 3rd R., 915; Mr. Dandurand, Mr. Cloran, Mr. Béique, Sir R. Scott, Sir R. Cartwright, Mr. McMullen, Mr. Derbyshire, Mr. Watson, Mr. Daniel, 915-923; M. agreed to, 923.

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(179) An Act to amend the Civil Service Act (Mr. Lougheed): 2nd R., 830; 3rd R., 831.

(180) An Act to amend the Dry Dock Subsidy Act (Mr. Lougheed): Int., 831; *m.* 2nd R., 852; 2nd R. passed, 853; 3rd R.*, 856.

(181) An Act to amend the Yukon Glacier Mining Act (Mr. Lougheed): Int., 831; 2nd R.*, 853.

(182) An Act resp'g. the Govt. House property, Toronto (Mr. Lougheed): Int., 831; M. 2nd R., rem., Mr. Lougheed, Mr. Belcourt, Sir R. Scott, Sir M. Bowell, Mr. Domville, 853-854; 2nd R. agreed to, 854.

(183) An Act to authorize the granting of Subsidies in aid of the Rys. and Bridges therein mentioned (Mr. Lougheed): Int., 872; M. 2nd R., 889; rem., Mr. Lougheed, Sir R. Cartwright, Mr. Bostock, Mr. Dandurand, 889-890; M. agreed to, 890; M. 3rd R., 925; rem., Mr. Lougheed, Sir R. Cartwright, Mr. Derbyshire, Mr. Dandurand, Mr. Power, Mr. Edwards, Mr. Watson, 925-929; M. agreed to, 929.

(185) An Act to authorize the sale to the Province of Manitoba of certain Ordnance Lands in the city of Winnipeg (Mr. Lougheed): Int., 831; 2nd R. postponed, 871; M. 2nd R., 877; rem., Mr. Lougheed, Mr. Belcourt, Mr. Thompson, Sir R. Cartwright, Mr. Cloran, Mr. Dandurand, 877-880; 2nd R. agreed to, 890; 3rd R.*, 923.

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(189) An Act to aid the construction of the Canadian Northern Alberta Railway (Mr. Lougheed): Int,, 894; rem., 931; 2nd R.*, 932; 3rd R.*, 932.

(190) An Act to authorize a bounty to Volunteers who served the Crown during the Fenian Raids (Mr. Lougheed): Int., 872; M. 2nd R., 882; rem., Mr. Lougheed, Sir R. Cartwright, Mr. Derbyshire, Sir M. Bowell, Mr. Domville, Mr. Cloran, Mr. Dandurand, Mr. Power, 882-888; M. agreed to, 888; Com., 888-889; rep. from Com., 889.

(193) An Act for granting to His Majesty certain sums of money for the public services for the financial years ending 31st of March, 1912, and 31st of March, 1913: 1st R., 952; H. (Mr. Lougheed) 2nd R., 952; rem., Sir R. Cartwright, 952-956; M. agreed to, 956; M. (Mr. Lougheed) 3rd R., 956; rem., Mr. Cloran, 957; M. agreed to 957; R. A., 959.

(194) An Act to amend the Act of the present session intitutled An Act resp'g. the Montreal Central Terminal Co. (Mr. Watson): 1st & 2nd R.*, 947; M. 3rd R., 948; rem., Mr. Campbell, Mr. Watson, Mr. Young, Mr. Lougheed, 948-949; M. agreed to, 949.

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